

FY 2004 & FY 2005 REVENUES & EXPENDITURES

FY 2004 Actual

Revenues:

Balance Forward	\$3,493,602.30
Income from Surcharge.....	\$8,358,683.50
Income from Interest.....	\$51,531.02
DHS/TED Cash Advance Return.....	<u>\$200,000.00</u>
Total Revenue	\$12,103,816.82

Expenses:

TAM Administration.....	\$205,960.31
DHS/TED Contract.....	\$1,511,693.95
DHD/TED Cash Advance	\$0.00
DHS/TED Account Discrepancy	\$9,202.83
Sprint-MN Relay Contract	\$2,182,495.76
CSD-MN Relay Contract	\$2,182,494.58
CSD-Consumer Relations Office	\$235,107.40
CapTel	<u>\$227,368.15</u>
Total Expenses.....	\$6,554,322.98

Balance Forward:..... **\$5,549,493.84**

FY 2005 Projected

Revenues:

Balance Forward	\$5,549,494
Income from Surcharge.....	\$6,755,000
Income from Interest.....	\$75,000
DHS/TED Cash Advance Return.....	<u>\$200,000</u>
Total Revenue	\$12,579,494

Expenses:

TAM Administration.....	\$155,000
DHS/TED Contract.....	\$1,621,800
DHS/TED Cash Advance.....	\$200,000
Sprint-MN Relay Contract (TRS & CapTel)	\$3,500,000
CSD-MN Relay Contract	\$2,200,000
CSD-Consumer Relations Office.....	<u>\$308,000</u>
Total Expenses.....	\$7,984,800

Balance Forward:..... **\$4,594,694**

APPENDICES

APPENDIX A

Minnesota Statutes 2004, Chapter 237.

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237.50

237.50 Definitions.

Subdivision 1. Scope. The terms used in sections 237.50 to 237.56 have the meanings given them in this section.

Subd. 2. Repealed, 1995 c 190 s 17

Subd. 3. Communication impaired. "Communication impaired" means certified as deaf, severely hearing impaired, hard-of-hearing, speech impaired, deaf and blind, or mobility impaired if the mobility impairment significantly impedes the ability to use standard customer premises equipment.

Subd. 4. Communication device. "Communication device" means a device that when connected to a telephone enables a communication-impaired person to communicate with another person utilizing the telephone system. A "communication device" includes a ring signaler, an amplification device, a telephone device for the deaf, a Braille device for use with a telephone, and any other device the Department of Human Services deems necessary.

Subd. 4a. Deaf. "Deaf" means a hearing impairment of such severity that the individual must depend primarily upon visual communication such as writing, lip reading, manual communication, and gestures.

Subd. 5. Exchange. "Exchange" means a unit area established and described by the tariff of a telephone company for the administration of telephone service in a specified geographical area, usually embracing a city, town, or village and its environs, and served by one or more central offices, together with associated facilities used in providing service within that area.

Subd. 6. Fund. "Fund" means the telecommunications access Minnesota fund established in section 237.52.

Subd. 6a. Hard-of-hearing. "Hard-of-hearing" means a hearing impairment resulting in a functional loss, but not to the extent that the individual must depend primarily upon visual communication.

Subd. 7. Interexchange service. "Interexchange service" means telephone service between points in two or more exchanges.

Subd. 8. Inter-LATA interexchange service. "Inter-LATA interexchange service" means interexchange service originating and terminating in different LATAs.

Subd. 9. Local access and transport area. "Local access and transport area (LATA)" means a geographical area designated by the Modification of Final Judgment in U.S. v. Western Electric Co., Inc., 552 F. Supp. 131 (D.D.C. 1982), including modifications in effect on the effective date of sections 237.51 to 237.54.

Subd. 10. Local exchange service. "Local exchange service" means telephone service between points within an exchange.

Subd. 11. Telecommunication relay service. "Telecommunication relay service" means a central statewide service through which a communication-impaired person, using a communication device, may send and receive messages to and from non-communication-impaired person whose telephone is not equipped with a communication device and through which a non-communication-impaired person may, by using voice communication, send and receive messages to and from a communication-impaired person.

HIST: 1987 c 308 s 1,8; 1988 c 621 s 2; 1993 c 272 s 2-6,17;
1995 c 190 s 1; 2004 c 228 art 1 s 74

237.51

237.51 Telecommunications access Minnesota program administration.

Subdivision 1. Creation. The commissioner of commerce shall:

(1) administer through interagency agreement with the commissioner of human services a program to distribute communication devices to eligible communication-impaired persons; and

(2) contract with a qualified vendor that serves communication-impaired persons to create and maintain a telecommunication relay service.

For purposes of sections 237.51 to 237.56, the Department of Commerce and any organization with which it contracts pursuant to this section or section 237.54, subdivision 2, are not telephone companies or telecommunications carriers as defined in section 237.01.

Subd. 2. Repealed, 1995 c 190 s 17

Subd. 3. Repealed, 1995 c 190 s 17

Subd. 4. Repealed, 1995 c 190 s 17

Subd. 5. Commissioner of commerce duties. In addition to any duties specified elsewhere in sections 237.51 to 237.56, the commissioner of commerce shall:

(1) prepare the reports required by section 237.55;

(2) administer the fund created in section 237.52; and

(3) adopt rules under chapter 14 to implement the provisions of sections 237.50 to 237.56.

Subd. 5a. Department of Human Services duties. (a) In addition to any duties specified elsewhere in sections 237.51 to 237.56, the commissioner of human services shall:

(1) define economic hardship, special needs, and household criteria so as to determine the priority of eligible applicants for initial distribution of devices and to determine circumstances necessitating provision of more than one communication device per household;

(2) establish a method to verify eligibility requirements;

(3) establish specifications for communication devices to be purchased under section 237.53, subdivision 3; and

(4) inform the public and specifically the community of communication-impaired persons of the program.

(b) The commissioner may establish an advisory board to advise the department in carrying out the duties specified in this section and to advise the commissioner of commerce in carrying out duties under section 237.54. If so established, the advisory board must include, at a minimum, the following communication-impaired persons:

(1) at least one member who is deaf;

(2) at least one member who is speech impaired;

(3) at least one member who is mobility impaired; and

(4) at least one member who is hard-of-hearing.

The membership terms, compensation, and removal of members and the filling of membership vacancies are governed by section 15.059. Advisory board meetings shall be held at the discretion of the commissioner.

Subd. 6. Repealed, 1995 c 190 s 17

HIST: 1987 c 186 s 15; 1987 c 308 s 2,8; 1988 c 621 s 3; 1990 c 571 s 41; 1990 c 598 s 3; 1992 c 430 s 1,2; 1992 c 518 s 1; 1993 c 272 s 7-11,17; 1995 c 190 s 2-4; 1998 c 386 art 2 s 70;

237.52

237.52 Telecommunications access Minnesota fund.

Subdivision 1. Fund established. A telecommunications access Minnesota fund is established as an account in the state treasury. Earnings, such as interest, dividends, and any other earnings arising from fund assets, must be credited to the fund.

Subd. 2. Assessment. The commissioner of commerce shall annually recommend to the commission an adequate and appropriate surcharge and budget to implement sections 237.50 to 237.56. The Public Utilities Commission shall review the budget for reasonableness and may modify the budget to the extent it is unreasonable. The commission shall annually determine the funding mechanism to be used within 60 days of receipt of the recommendation of the department and shall order the imposition of surcharges effective on the earliest practicable date. The commission shall establish a monthly charge no greater than 20 cents for each customer access line, including trunk equivalents as designated by the commission pursuant to section 403.11, subdivision 1.

Subd. 3. Collection. Every telephone company or communications carrier that provides service capable of originating a telecommunications relay call, including cellular communications and other nonwire access services, in this state shall collect the charges established by the commission under subdivision 2 and transfer amounts collected to the commissioner of public safety in the same manner as provided in section 403.11, subdivision 1, paragraph (d). The commissioner of public safety must deposit the receipts in the fund established in subdivision 1.

Subd. 4. Appropriation. Money in the fund is appropriated to the commissioner of commerce to implement sections 237.51 to 237.56.

Subd. 5. Expenditures. (a) Money in the fund may only be used for:

(1) expenses of the Department of Commerce, including personnel cost, public relations, advisory board members' expenses, preparation of reports, and other reasonable expenses not to exceed ten percent of total program expenditures;

(2) reimbursing the commissioner of human services for purchases made or services provided pursuant to section 237.53;

(3) reimbursing telephone companies for purchases made or services provided under section 237.53, subdivision 5; and

(4) contracting for establishment and operation of the telecommunication relay service required by section 237.54.

(b) All costs directly associated with the establishment of the program, the purchase and distribution of communication devices, and the establishment and operation of the telecommunication relay service are either reimbursable or directly payable from the fund after authorization by the commissioner of commerce. The commissioner of commerce shall contract with the message relay service operator to indemnify the local exchange carriers of the relay service for any fines imposed by the Federal Communications Commission related to the failure of the relay service to comply with federal service standards. Notwithstanding section 16A.41, the commissioner may advance money to the contractor of the telecommunication relay service if the contractor establishes to the commissioner's satisfaction that the advance payment is necessary for the operation of the service. The advance payment may be used only for working capital reserve for the operation of the service.

The advance payment must be offset or repaid by the end of the contract fiscal year together with interest accrued from the date of payment.

HIST: 1987 c 308 s 3,8; 1988 c 621 s 4; 1992 c 518 s 2; 1993 c 272 s 12,13,17; 1995 c 190 s 5-7; 1995 c 201 s 1; 1Sp2001 c 4 art 6 s 63-65; 2002 c 329 s 3; 1Sp2003 c 1 art 2 s 67

237.53

237.53 Communication device.

Subdivision 1. Application. A person applying for a communication device under this section must apply to the program administrator on a form prescribed by the Department of Human Services.

Subd. 2. Eligibility. To be eligible to obtain a communication device under this section, a person must be:

(1) able to benefit from and use the equipment for its intended purpose;

(2) communication impaired;

(3) a resident of the state;

(4) a resident in a household that has a median income at or below the applicable median household income in the state, except a deaf and blind person applying for a telebraille unit may reside in a household that has a median income no more than 150 percent of the applicable median household income in the state; and

(5) a resident in a household that has telephone service or that has made application for service and has been assigned a telephone number; or a resident in a residential care facility, such as a nursing home or group home where telephone service is not included as part of overall service provision.

Subd. 3. Distribution. The commissioner of human services shall purchase and distribute a sufficient number of communication devices so that each eligible household receives an appropriate device. The commissioner of human services shall distribute the devices to eligible households in each service area free of charge as determined under section 237.51, subdivision 5a.

Subd. 4. Training; maintenance. The commissioner of human services shall maintain the communication devices until the warranty period expires, and provide training, without charge, to first-time users of the devices.

Subd. 5. Wiring installation. If a communication-impaired person is not served by telephone service and is subject to economic hardship as determined by the Department of Human Services, the telephone company providing local service shall at the direction of the administrator of the program install necessary outside wiring without charge to the household.

Subd. 6. Ownership. All communication devices purchased pursuant to subdivision 3 will become the property of the state of Minnesota.

Subd. 7. Standards. The communication devices distributed under this section must comply with the electronic industries association standards and approved by the Federal Communications Commission. The commissioner of human services must provide each eligible person a choice of several models of devices, the retail value of which may not exceed \$600 for a communication device for the deaf, and a retail value of \$7,000 for a telebraille device, or an amount authorized by the Department of Human Services for a telephone device for the deaf with auxiliary equipment.

Subd. 8. Repealed, 1988 c 621 s 19

HIST: 1987 c 308 s 4,8; 1988 c 621 s 5-8; 1993 c 272 s 17;
1995 c 190 s 8-11; 1995 c 201 s 2

237.54

237.54 Telecommunication relay service.

Subdivision 1. Repealed, 1995 c 190 s 17

Subd. 2. Operation. (a) The commissioner of commerce shall contract with a qualified vendor for the operation and maintenance of the telecommunication relay system.

(b) The telecommunication relay service provider shall operate the relay service within the state of Minnesota. The operator of the system shall keep all messages confidential, shall train personnel in the unique needs of communication-impaired people, and shall inform communication-impaired persons and the public of the availability and use of the system. Except in the case of a speech- or mobility-impaired person, the operator shall

not relay a message unless it originates or terminates through a communication device for the deaf or a Braille device for use with a telephone.

HIST: 1987 c 308 s 5,8; 1993 c 272 s 14,17; 1995 c 190 s 12;
1Sp2001 c 4 art 6 s 66; 2002 c 329 s 4

237.55

237.55 Annual report on communication access.

The commissioner of commerce must prepare a report for presentation to the commission by January 31 of each year. Each report must review the accessibility of the telephone system to communication-impaired persons, review the ability of non-communication-impaired persons to communicate with communication-impaired persons via the telephone system, describe services provided, account for money received and disbursed annually for each aspect of the program to date, and include predicted future operation.

HIST: 1987 c 308 s 6,8; 1993 c 272 s 15,17; 1995 c 190 s 13;
1Sp2001 c 4 art 6 s 67

237.56

237.56 Adequate service enforcement.

The services required to be provided under sections 237.50 to 237.55 may be enforced under section 237.081 upon a complaint of at least two communication-impaired persons within the service area of any one telephone company, provided that if only one person within the service area of a company is receiving service under sections 237.50 to 237.55, the commission may proceed upon a complaint from that person.

HIST: 1987 c 308 s 7,8; 1993 c 272 s 17

237.57

237.57 Definitions.

Subdivision 1. Scope. The terms used in this chapter have the meanings given them in this section.

Subd. 2. Competitive service. "Competitive service" means a service that has been determined to be subject to effective competition or emerging competition.

Subd. 3. Effective competition. "Effective competition" exists when the criteria of section 237.59, subdivision 5, have been satisfied for a service.

Subd. 4. Emerging competition. A service will be regulated under "emerging competition" provisions when the criteria of section 237.59, subdivision 5, have not been satisfied, but there is a trend toward effective competition, or if it is a new service offered for the first time after August 1, 1994, that is not integrally related to the provision of adequate telephone service or access to the telephone network or to the privacy, health, or safety of the company's customers, whether or not it meets the criteria of section 237.59, subdivision 5.

Subd. 5. Local access and transport area. "Local access and transport area (LATA)" means a geographical area designated by the Modification of Final Judgment in U.S. v. Western Electric Co., Inc., 552 F. Supp. 131 (D.D.C. 1982).

Subd. 6. Noncompetitive service. "Noncompetitive service" means a service that has not been classified as competitive by the commission.

HIST: 1987 c 340 s 1,26; 1989 c 74 s 7,25; 1994 c 534 art 1 s

Minnesota Rules, Chapter 8775.

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8775.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Applicable median income.** "Applicable median income" means the median gross income in Minnesota as estimated by the Bureau of the Census in the most recent annual announcement of the United States Department of Health and Human Services Family Support Administration, published in the Federal Register. These announcements are incorporated by reference.

Subp. 3. **Appropriate communication device.** "Appropriate communication device" means a communication device that most efficiently allows access to the telephone system by a communication-impaired person.

Subp. 4. **Blind.** A person is "blind" if central visual acuity does not exceed 20/200 in the better eye with corrective lenses or, if greater than 20/200, visual acuity is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

Subp. 5. **Board.** "Board" means the Telecommunication Access for Communication-impaired Persons Board established in Minnesota Statutes, section 237.51.

Subp. 6. **Communication device.** "Communication device" means a device that when connected to a telephone enables a communication-impaired person to communicate with another person using the telephone system. A communication device includes a ring signaler, an amplification device, a telecommunications device for the deaf (TDD), a braille device for use with the telephone system, and any other device the board considers necessary.

Subp. 7. **Communication-impaired person.** "Communication-impaired person" means a person determined by the division to be deaf, deaf and blind, hard-of-hearing, mobility impaired, or speech impaired as defined by subparts 8, 9, 12, 16a, and 20.

Subp. 8. **Deaf.** "Deaf" means a hearing impairment of such severity that the individual must depend primarily upon visual communication such as writing, lip reading, manual communication, and gestures. A deaf person requires use of a telecommunications device for the deaf (TDD) to communicate effectively on the telephone.

Subp. 9. **Deaf and blind.** "Deaf and blind" means the conditions of a person who is (1) deaf or has a severe to profound hearing loss and (2) blind or visually impaired. A person affected by these conditions requires use of a braille device for use with the telephone system or other specially designed system to communicate effectively on the telephone.

Subp. 10. **Division.** "Division" means the Deaf and Hard of Hearing Services Division of the Minnesota Department of Human Services.

Subp. 11. **Economic hardship.** "Economic hardship" means an economic condition or level of subsistence on a household income that is at or below 60 percent of the applicable median income in the state.

Subp. 12. **Hard-of-hearing.** "Hard-of-hearing" means a hearing impairment resulting in a functional loss, but not to the extent that the individual must depend primarily upon visual communication. Some of the effects of the impairment can be overcome with proper amplification. A person that is hard-of-hearing may require a communication device to communicate effectively on the telephone.

Subp. 13. [Repealed, 19 SR 1666]

Subp. 14. **Household criteria.** For determining priority when initially distributing equipment or receiving more than one communication device, "household criteria" means the higher priority given for a household having more than one communication-impaired person or for a household with a communication-impaired person living alone.

Subp. 15. **Household income.** "Household income" means the total income of a communication-impaired person and immediate family living in the same residence. The immediate family includes spouse and minor children. The income of a minor child must be included when the dependent minor child is under 15 years of age and residing with the parents or custodial parent. If the communication-impaired person is a minor child, then parents and siblings residing with the minor are immediate family.

Subp. 16. **Income.** "Income" means money received in the preceding calendar year from each of the following sources:

- A. money, wages, or salary;
- B. net income from nonfarm employment as defined for federal tax purposes;
- C. net income from farm self-employment as defined for federal taxes;
- D. income from any social security program;
- E. supplemental social security income;
- F. public assistance or welfare payments;
- G. interest on savings or other investments that pay interest;
- H. dividend income from estates or trusts, or net rental income;
- I. veterans' payments, unemployment compensation payments, and workers' compensation payments;
- J. private or public employee pensions; and
- K. alimony, child support, regular contributions from persons not living in the household, and other periodic income. This definition of income comes from that of the Bureau of the Census and is interpreted according to its standards as published in "Consumer Income," series P-60, No. 156, Money, Income of Households, Families and Persons in the United States: 1985. These standards are incorporated by reference, are not subject to frequent change, and are located in the government publications reference department of the University of Minnesota and in the Minitex interlibrary loan system.

Subp. 16a. **Mobility impaired.** "Mobility impaired" means a motor skill condition that significantly impedes a person's ability to use standard customer premises telephone equipment. A mobility-impaired person may require

the use of a communication device with auxiliary equipment to communicate on the telephone.

Subp. 17. **Resident of Minnesota.** "Resident of Minnesota" means an individual who lives in Minnesota or who has moved to Minnesota and intends to remain in Minnesota.

Subp. 18. **Significant visual impairment.** "Significant visual impairment" means a visual disability that does not constitute legal blindness but which constitutes a substantial handicap to employment or limits the person's ability to live independently, perform self-care activities, or grow and develop.

Subp. 19. **Special needs.** "Special needs" means the needs of an eligible person that may require that the person be given priority when initially distributing the equipment or be given more than one communication device because of severity of communication impairment or presence of multiple disabilities.

Subp. 20. **Speech impaired.** "Speech impaired" means a condition that renders a person physically incapable of speaking clearly. The severity of the impairment may vary; however, it renders speech on an ordinary telephone unintelligible or impossible and requires a communication device to communicate effectively on the telephone.

Subp. 21. **TAM.** "TAM" means Telecommunications Access Minnesota.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74

Current as of 08/26/04

8775.0200 PURPOSE AND CONSTRUCTION.

The purpose of this chapter is to develop and implement a statewide program to distribute telephone communication devices to eligible communication-impaired persons for improving access to telephone communications services for communication-impaired persons. This chapter is to be liberally construed to further these purposes.

STAT AUTH: MS s 237.51

HIST: 14 SR 848

Current as of 08/26/04

8775.0300 ELIGIBILITY FOR TAM SERVICES.

Subpart 1. **Information provided.** On request, the division shall offer to a person an application form developed by the division and a brochure that describes the TAM eligibility requirements and application process.

Subp. 2. **Application process.** The applicant shall complete the application form and return it to the division's regional service center for deaf and hard-of-hearing people. An application may be made by the applicant, the applicant's spouse, or a person authorized by the applicant to act in the applicant's behalf. All documentation must be provided within 30 days of the first interview with the division. The applicant shall provide medical documentation of communication impairment on request.

Subp. 3. **Documenting, verifying, and reviewing eligibility.** The division shall verify the applicant's household income, age, and access to telephone service, and that the applicant is a communication-impaired person. If the division becomes aware that a condition of eligibility has changed, the division may redetermine eligibility:

A. Within 30 days, an applicant shall document income or authorize the division to verify the income. The division shall help an applicant or recipient obtain documents that the applicant does not possess and cannot obtain. Information previously verified and retained by the division need not be verified again unless the information no longer applies to current circumstances.

B. The division shall not request information about an applicant for or recipient of TAM services that is not of public record from a source other than within the division without the applicant's or recipient's previous written consent. The division may request information about an applicant or recipient that is not of public record from the telephone companies by obtaining the applicant's or recipient's previous written consent on an application or redetermination form. The division shall not provide third parties with access to information about an applicant's eligibility status or other case record information without the previous written consent of that applicant or recipient, except when access to specific case information is granted to agencies designated by the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13. Information designated as confidential by the Minnesota Government Data Practices Act may only be made available to agencies granted access under that law and must not be provided to an applicant, recipient, or third party.

C. The division shall inform the recipient of the recipient's responsibility to report permanent changes in circumstances that affect eligibility within ten days of each change.

Subp. 4. **Eligibility criteria.** To be eligible for the TAM program, a person must:

- A. be at least five years of age;
- B. be a communication-impaired person;
- C. be a resident of Minnesota;

D. be a resident in a household at or below the applicable median income in the state, except that a deaf and blind person applying for a braille device for use with the telephone system may reside in a household that has a median income no more than 150 percent of the applicable median household income in the state; and

E. have or have applied for telephone service and been assigned a telephone number. A person who at the time of application does not have telephone service, but meets all other eligibility requirements, will be declared "conditionally eligible" and, in order to be declared "eligible," must apply for telephone service and be assigned a telephone number.

Subp. 5. **Persons not eligible.** Persons who are residents of a residential or treatment facility that directly or indirectly receives federal funding and is required to be fully accessible to all residents by the Rehabilitation Act of 1973, United States Code, title 29, section 774, and the Americans with Disabilities Act of 1990, United States Code, title 42, section 12101, et seq., and are eligible for and can obtain communication

devices through federal provisions are not eligible to receive TAM services under this chapter.

Subp. 6. **Notification of eligibility.** Within 30 days of the receipt of the application and the necessary documentation the division shall notify the applicant in writing whether the applicant is found eligible and, if the applicant is denied, the reasons for denial.

Subp. 7. **Determination of appropriate communication device.** The division shall determine the appropriate communication device for a recipient.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74

Current as of 08/26/04

8775.0400 COMMUNICATION DEVICES; INITIAL DISTRIBUTION PRIORITY.

Subpart 1. **First priority: deaf and blind.** The first in priority are those eligible, deaf and blind persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 2. **Second priority: deaf.** The second in priority are those eligible, deaf persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 2a. **Third priority: speech and mobility impaired.** The third in priority are those eligible speech- and mobility-impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 3. **Fourth priority: impaired speech.** The fourth in priority are those eligible, speech-impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 3a. **Fifth priority: mobility impaired.** The fifth in priority are those eligible, mobility-impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 4. **Sixth priority: hard-of-hearing.** The sixth in priority are those eligible, hard-of-hearing persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 5. **Seventh priority: others without special needs.** The seventh in priority are those eligible, communication-impaired persons having no special needs, not experiencing economic hardship, and not meeting the household criteria standards.

Subp. 6. **Use of priority system.** Initially, the priority system must be used to determine the priority of eligible applicants for receiving telecommunication devices, for example, to establish a waiting list of eligible applicants. Only if allotted program money is insufficient to provide all eligible applicants with needed equipment may the priority system be used to determine which individuals will receive equipment.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666

Current as of 08/26/04

8775.0500 HOUSEHOLDS ELIGIBLE TO RECEIVE SEVERAL DEVICES.

Subpart 1. **Deaf.** A communication-impaired person who is deaf is eligible for a telecommunications device for the deaf (TDD) and a ring signaler.

Subp. 2. **Deaf and blind.** A communication-impaired person who is deaf and blind is eligible to receive a telecommunications device for the deaf (TDD) or braille device for use with the telephone system with auxiliary equipment approved by the board and necessary for efficient communication.

Subp. 3. **Two or more eligible persons.** If a household contains more than one eligible communication-impaired person with various communication impairments, the board or its designee may approve more than one telephone device as necessary for efficient communication.

Subp. 4. **Hard-of-hearing.** A communication-impaired person who is hard-of-hearing is eligible for a ring signaler and amplification device if more than one device is necessary for efficient communication.

Subp. 5. **Mobility impaired.** A communication-impaired person who is mobility impaired is eligible for a speakerphone or similar device with auxiliary equipment that the board or its designee deems necessary.

Subp. 6. **Speech and mobility impaired.** A communication-impaired person who is speech and mobility impaired is eligible for a speakerphone or similar device, or telecommunications device for the deaf (TDD) and any auxiliary equipment approved by the board.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666

Current as of 08/26/04

8775.0600 TRAINING AND MAINTENANCE.

The commissioner of human services shall maintain the communication devices until the warranty period expires at which time the board shall decide whether to repair or replace defective units. The commissioner shall provide training, without charge, to first-time users of the devices.

STAT AUTH: MS s 237.51

HIST: 14 SR 848

Current as of 08/26/04

8775.0700 OWNERSHIP.

Communication devices distributed under this chapter are and must remain the property of the state of Minnesota.

STAT AUTH: MS s 237.51

HIST: 14 SR 848

Current as of 08/26/04

8775.0800 APPEALS.

Subpart 1. **Aggrieved party.** An aggrieved party may appeal a decision of the division. An aggrieved party is an applicant:

A. who is determined ineligible for TAM service under part 8775.0300, subpart 4;

B. who disagrees with the division's determination regarding the appropriate communication device under part 8775.0300, subpart 6;

C. who disagrees with the division's decision regarding priority for initial distribution of communication devices under part 8775.0400; or

D. whose TAM service is terminated.

Subp. 2. **Procedure.** Requests for appeal must be made within 30 calendar days of receiving notice of adverse action or, for good cause shown, within 60 calendar days of receiving the notice. Requests for appeal can be made through written, telephone, or face-to-face contact with a designated representative of the regional service center for deaf and hard-of-hearing people.

Subp. 3. **Conciliation conference.** Within 30 calendar days of receiving a request for appeal, a representative of the regional service center for deaf and hard-of-hearing people shall meet with the aggrieved party and attempt to resolve informally the matter leading to the appeal. Within ten calendar days of the conciliation conference, the representative shall prepare a written summary of the issues addressed at the conciliation conference and shall send a copy of the written summary to the aggrieved party and to the board.

Subp. 4. **Formal hearings.** If still dissatisfied after receiving a copy of the conciliation conference summary, the aggrieved party may request a hearing before the board by making written, telephone, or face-to-face contact with a designated representative of the regional service center for deaf and hard-of-hearing people. A hearing before the board must be scheduled within 90 days. At the hearing, the aggrieved party may introduce evidence relevant to the issues on appeal. An aggrieved party may be represented by legal counsel or a lay advocate at the hearing.

Subp. 5. **Service pending appeal.** Termination of TAM services must be stayed pending an appeal.

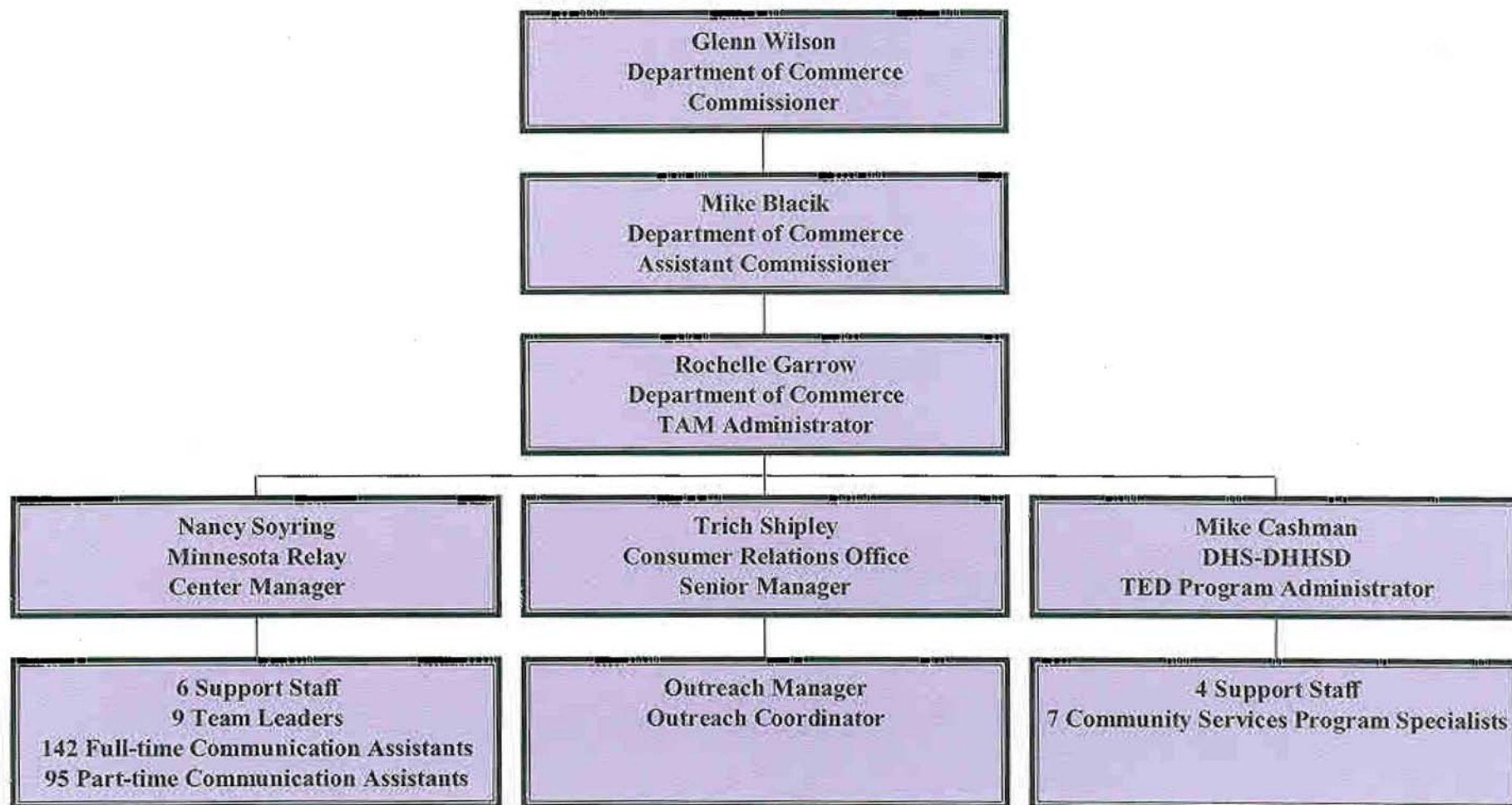
STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74

Current as of 08/26/04

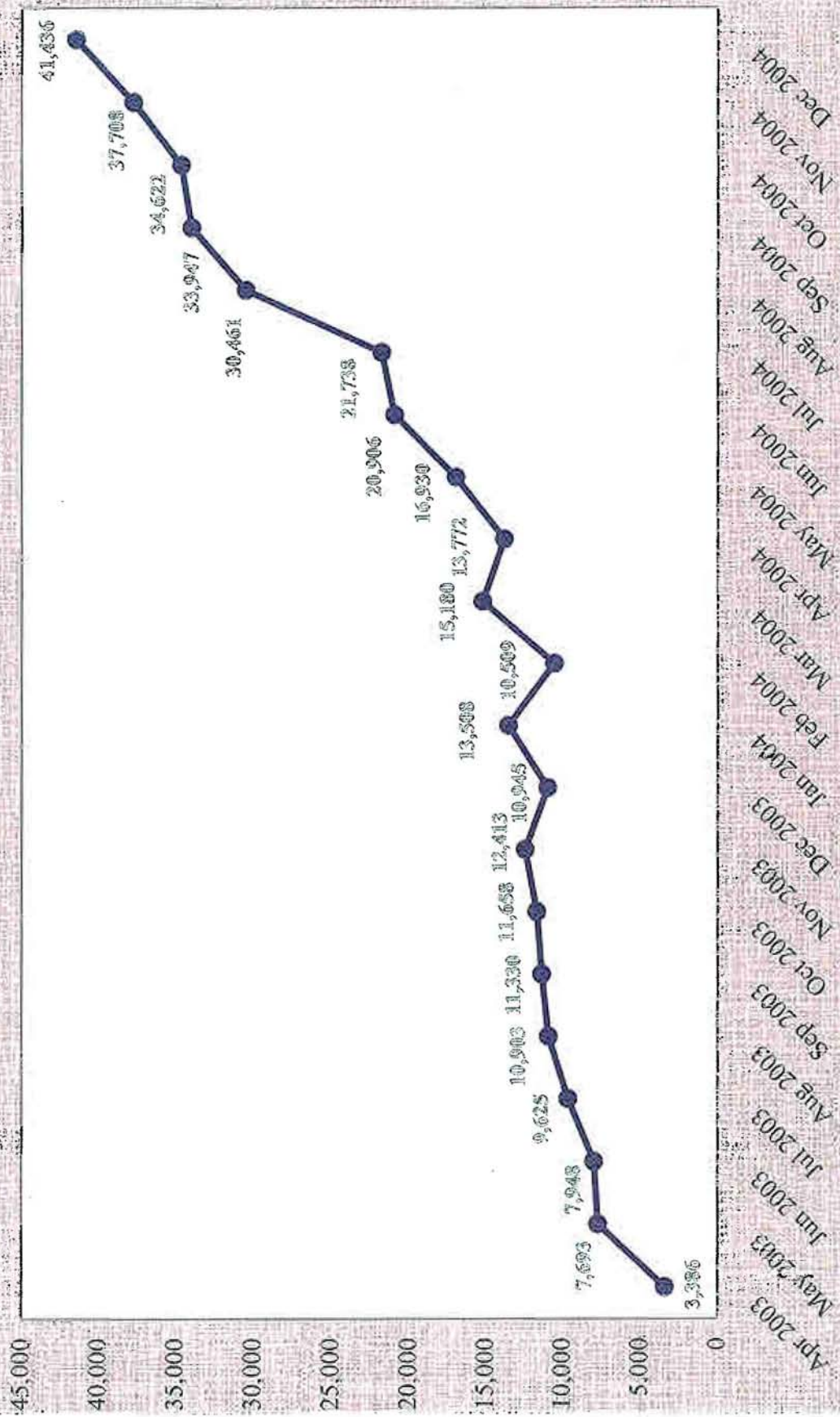
APPENDIX B

Telecommunications Access Minnesota Organizational Chart



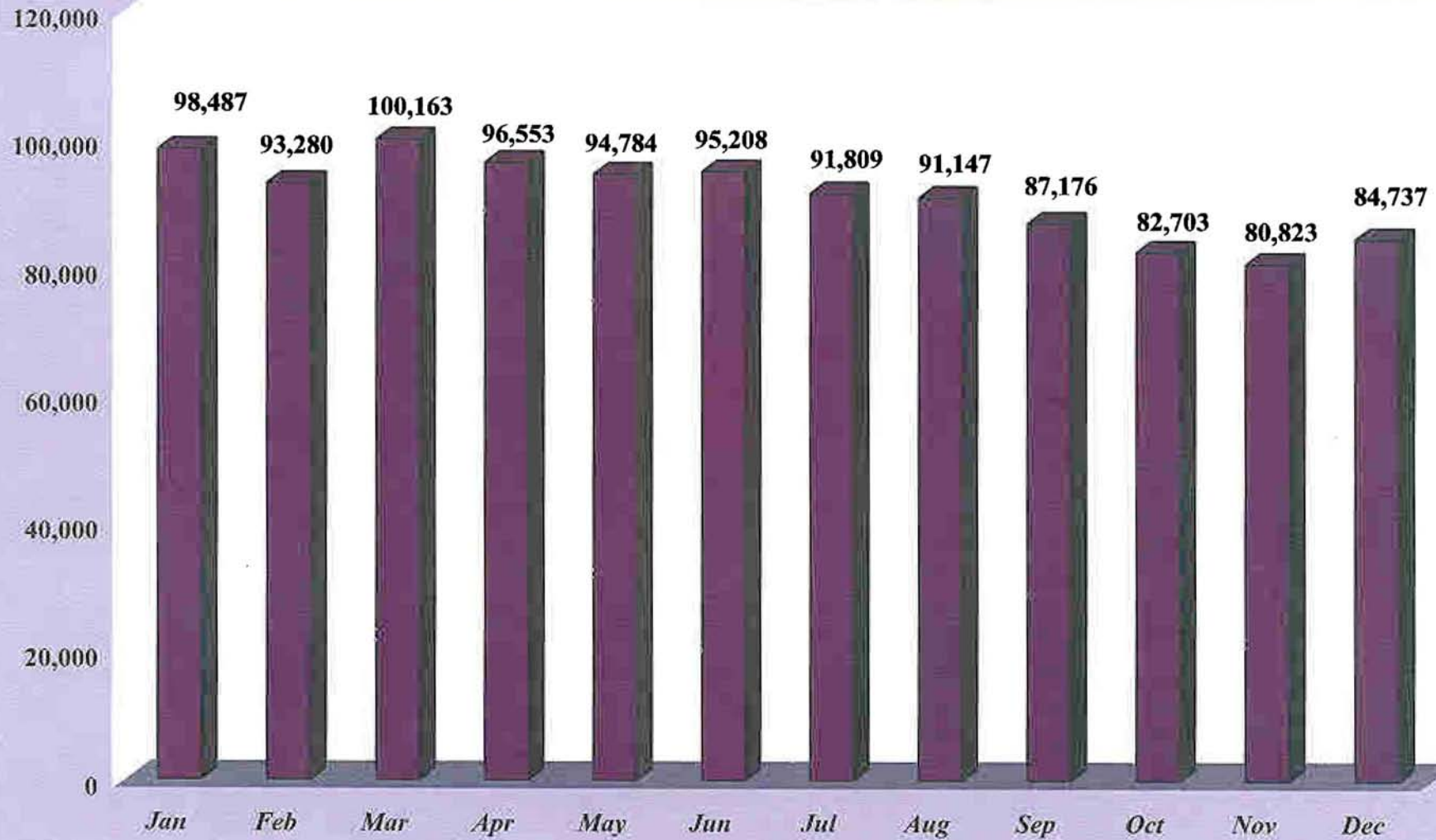
APPENDIX C

CapTel Session Minutes of Service per Month

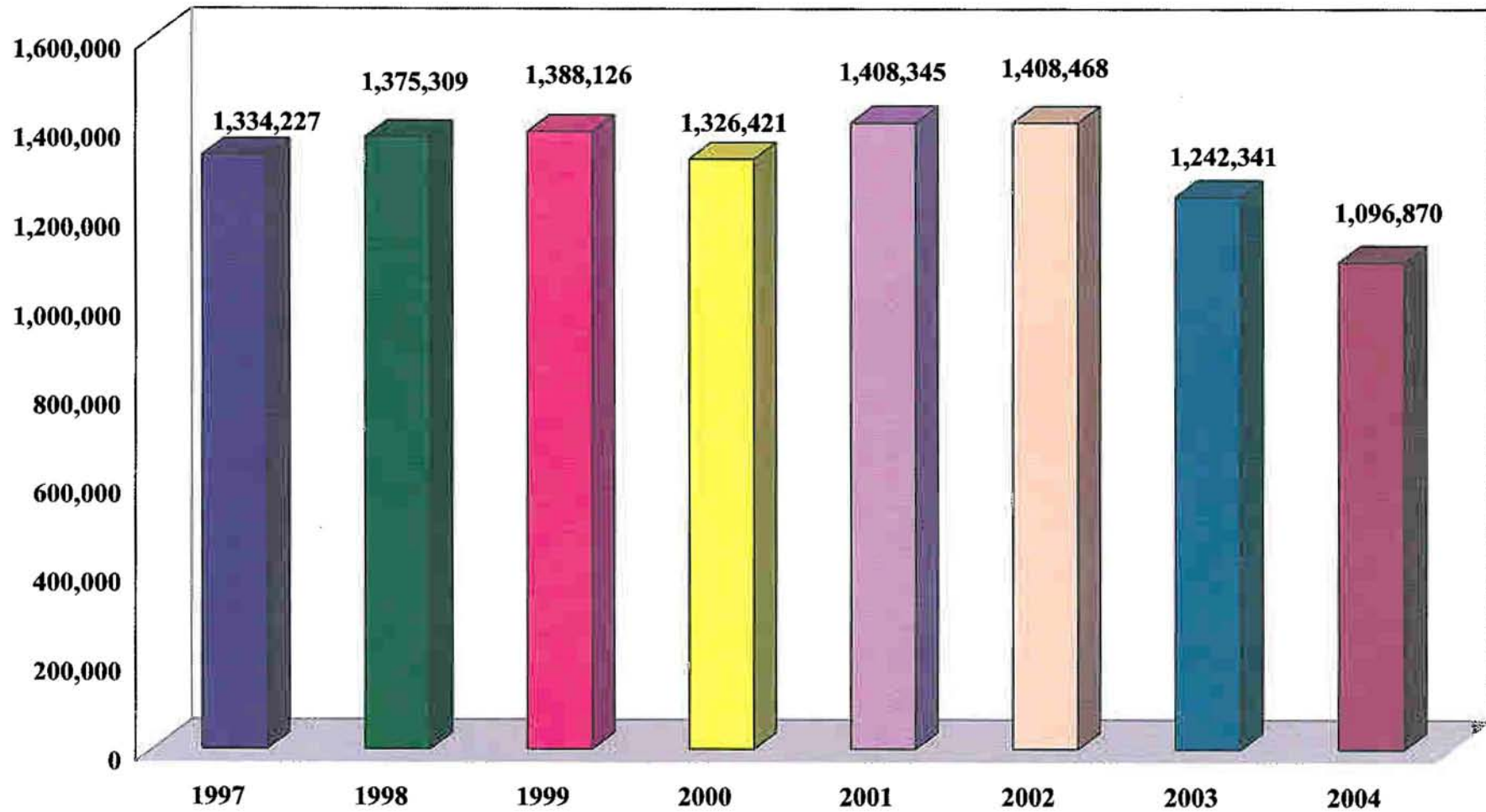


APPENDIX D

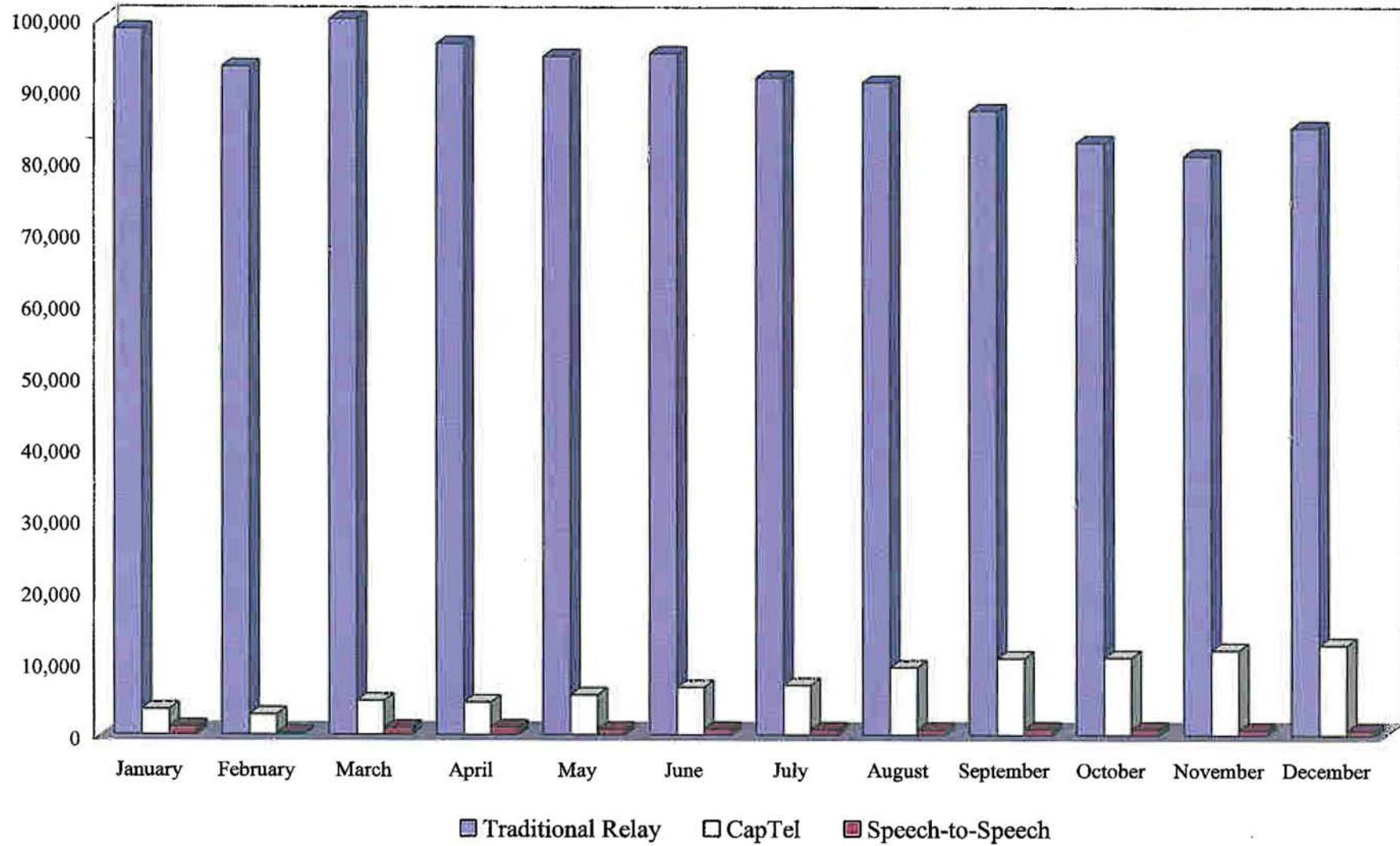
Minnesota Relay Traditional TRS Monthly Total Call Volume



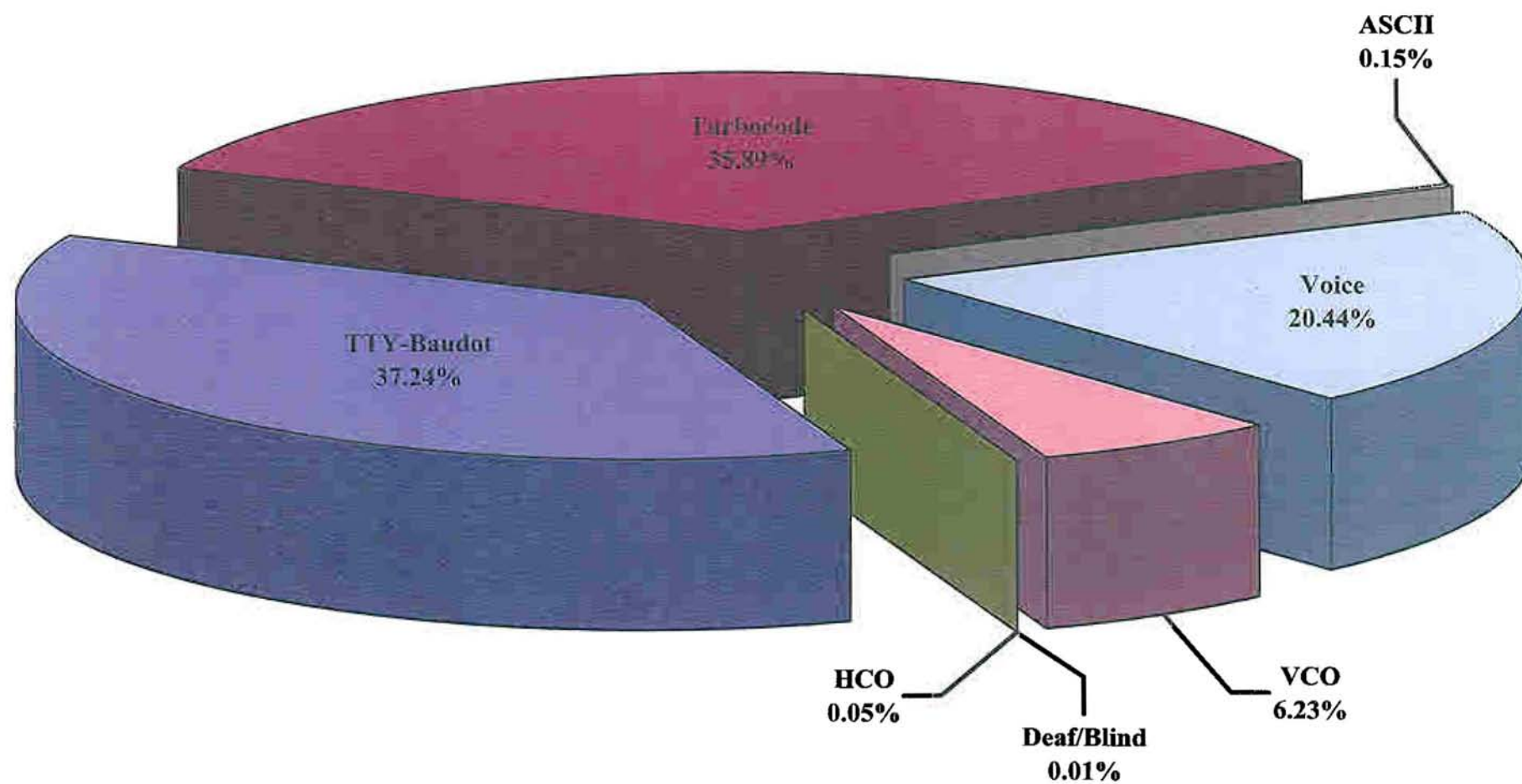
Minnesota Relay Traditional TRS Yearly Total Call Volume



Minnesota Relay Calls Per Month

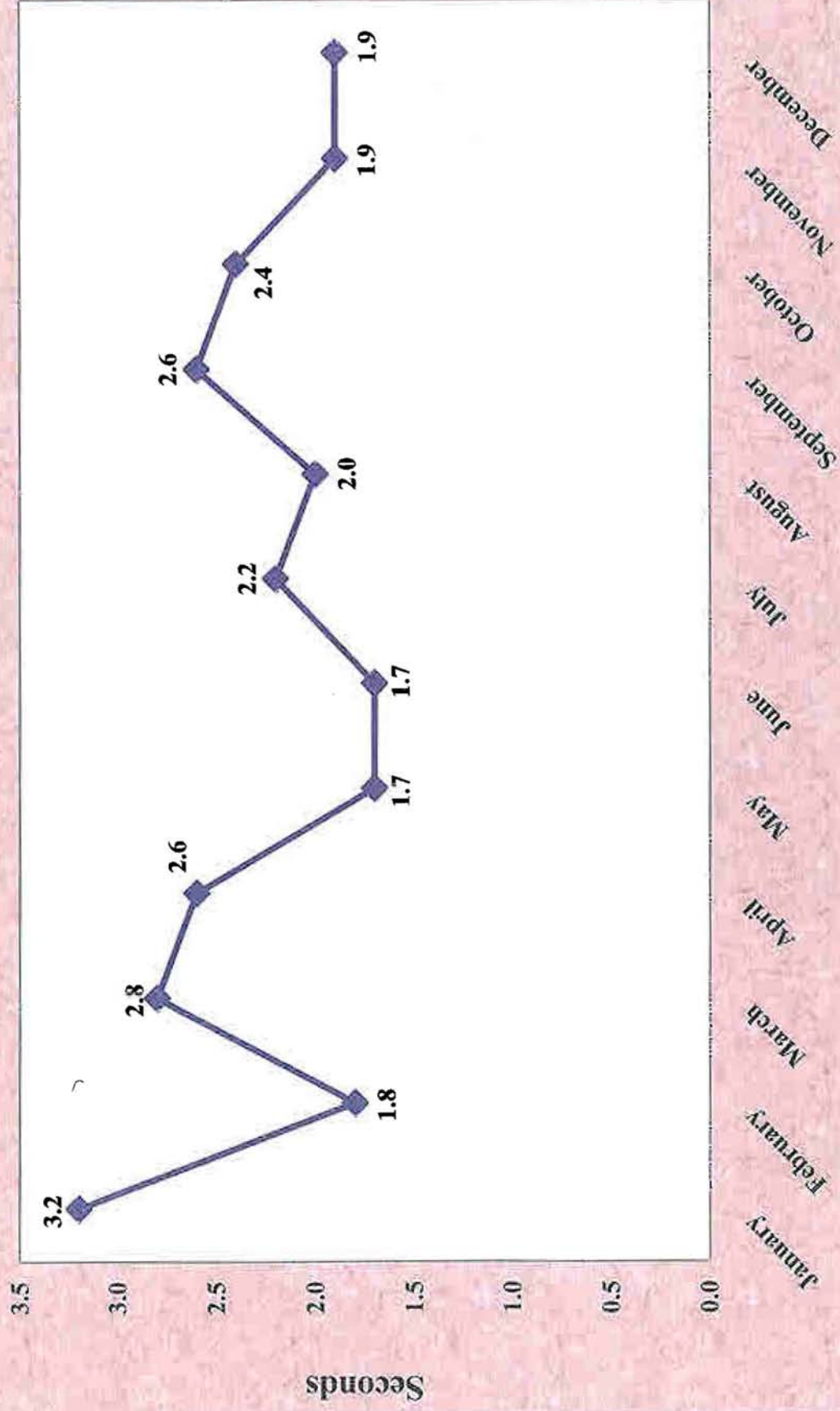


Minnesota Relay Calls by Calling Device

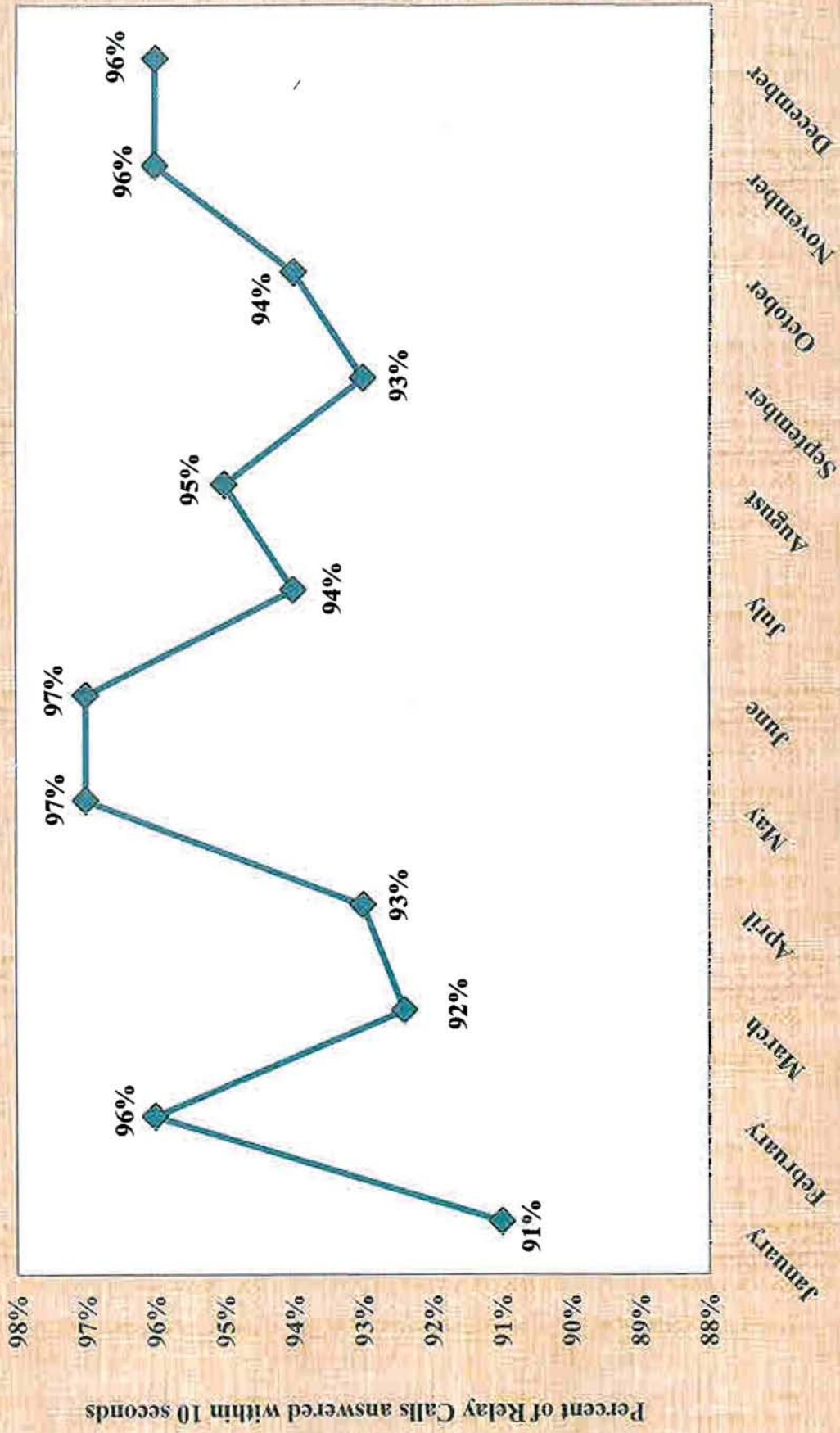


APPENDIX E

Minnesota Relay Weighted Speed of Answer (ASA)



Minnesota Relay Service Level (SVL)



APPENDIX F



I see what you're saying...

If you have difficulty hearing over the phone, a captioned telephone may be the answer. Similar to captioned television, the new CapTel™ phone service allows people to receive word-for-word captions of their telephone conversations.

CapTel is as easy to use as a standard telephone. You can talk and listen to the person you called while, at the same time, captions appear on the CapTel display window, allowing you to understand everything being said by hearing, reading, or both!

Captioned telephone service is provided free through Minnesota Relay. However, you must have a CapTel phone to access the service.

Minnesota Relay is a public service provided by our government to ensure that people who are deaf, hard of hearing, speech or mobility impaired have equal access to the telecommunications network.

Know the comfort and freedom of using the phone with confidence again. Stay connected to family, friends and businesses. **Call us today at 1-800-657-3775 (voice/TTY) to learn more about CapTel and purchasing a phone.**



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APPENDIX G

Consumer Relations Office Monthly Outreach Summary **January 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
January 05	D/HH Event	St. Paul	43
January 06	D/HH Event	St. Cloud	95
January 09	Deaf Event	Andover	12
January 10	Hard of Hearing Event	Minneapolis	16
January 12	D/HH Event	St. Paul	45
January 17	D/HH Event	St. Paul	125
January 19	D/HH Event	St. Paul	44
January 21	Presentation	Moorhead	35
January 23	Presentation	St. Paul	16
January 26	D/HH Event	St. Paul	44
January 27	D/HH Event	St. Paul	10
January 28	D/HH Event	Inver Grove Heights	4
January 29	D/HH Event	St. Louis Park	19
January 31	D/HH Event	Duluth	39
Total Presentations:		14	
Total Participants:		547	

Nikki - Speech-to-Speech Outreach

Month/Date	Outreach Description/Location	City	Number of Participants
January 05	Oak Meadows Assisted Living	Oakdale	30
January 08	Anova Health Care, Inc.	Coon Rapids	1
January 08	Continual Feast Companion Care	Coon Rapids	1
January 08	Covenant Home Health Care	Coon Rapids	3
January 08	Lending Hands Home Care Service	Coon Rapids	1
January 09	The Homestead at Coon Rapids	Coon Rapids	4
January 09	Camilia Rose Care Center	Coon Rapids	5
January 09	Mary T. Group Home	Coon Rapids	3
January 09	Therapy Connection	Coon Rapids	2
January 14	Direct Home Health Care	Maple Grove	3
January 14	Genesis Nurses, Inc.	Maple Grove	1
January 14	Mariah Home Care Services, Inc.	Maple Grove	1
January 14	Wildflower Lodge	Maple Grove	4
January 16	Health Corps	Plymouth	1
January 16	Regent at Plymouth	Plymouth	4
January 16	Warm Hands Kind Hearts, Inc.	Plymouth	7
January 16	Plymouth Community Library	Plymouth	4
January 22	Caregivers Network, Minneapolis, Inc.	Minnetonka	3
January 22	Prairie Senior Cottages	Minnetonka	2
January 22	Emerald Care, Inc.	Minnetonka	4
January 22	Epoch Assisted Living of Minnetonka	Minnetonka	6
January 28	Gianna Homes Sursum Corda	Minnetonka	2
January 28	Jewish Family and Children's Services	Minnetonka	3
January 28	Steven's Residence	Minnetonka	5
January 28	NovaCare Rehabilitation	Minnetonka	2
Total Presentations:		25	
Total Participants:		102	

Consumer Relations Office Monthly Outreach Summary **February 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
February 02	D/HH Event	St. Paul	42
February 03	Four Presentations	St. Paul	120
February 03	D/HH Event	St. Paul	80
February 04	Four Presentations	St. Paul	118
February 05	Presentation	St. Paul	31
February 09	D/HH Event	St. Paul	41
February 10	Presentation	Cottage Grove	24
February 11	Presentation	Cottage Grove	28
February 13	Customer Contact	St. Paul	2
February 14	HH Event	Edina	19
February 16	Customer	Minneapolis	1
February 16	D/HH Event	St. Paul	44
February 17	Two Presentations	Eden Prairie	58
February 18	Presentation	Inver Grove Heights	26
February 19	D/HH Event	St. Cloud	46
February 23	D/HH Event	St. Paul	38
February 27	D/HH Event	St. Paul	6
Total Presentations: 24			
Total Participants: 724			

Nikki - Speech-to-Speech Outreach

Month/Date	Outreach Description/Location	City	Number of Participants
February 03	Individual Training - Edina High School	Edina	2
February 06	Around the Clock Home Care	Hopkins	2
February 06	Therapeutic Intervention Programs	Hopkins	3
February 06	Visiting Angels	Hopkins	1
February 17	Care Plus Home Health Agency	Golden Valley	4
February 17	Comfort Keepers	Golden Valley	2
February 17	Country Villa	Golden Valley	3
February 17	Courage Center	Golden Valley	10
February 17	Edelweiss Home Health, Inc.	Golden Valley	7
February 17	Home Instead Senior Care	Golden Valley	2
February 20	Homewatch Living Assistance	Golden Valley	3
February 20	In Home Personal Care Home Health	Golden Valley	2
February 20	International Healthcare Services	Golden Valley	3
February 20	Intrepid USA Healthcare Services	Golden Valley	6
February 20	La Bonne Vie, Inc.	Golden Valley	2
February 20	Tender Care Nursing Services	Golden Valley	1
February 25	ACR Medical Services	Roseville	6
February 25	Gentiva Health Services	Roseville	7
February 25	Gentiva Rehab Without Walls	Roseville	4
February 25	Heartland Home Healthcare and Hospice	Roseville	6
February 25	Intrepid USA Healthcare Services	Roseville	3
February 25	Option Care Enterprises, Inc.	Roseville	3
February 26	Pediatric Home Service	Roseville	3
February 26	Presbyterian Homes Home Care	Roseville	4
February 26	Rosewood Estate of Roseville	Roseville	3
February 26	TLC Homecare of the Twin Cities	Roseville	2
February 26	Roseville Branch Library	Roseville	4
February 26	Therapy Partners	Roseville	3
Total Presentations: 28			
Total Participants: 101			

Consumer Relations Office Monthly Outreach Summary **March 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
March 01	Presentation	Mankato	18
March 01	D/HH Event	St. Paul	44
March 02	D/HH Event	Coon Rapids	27
March 05	D/HH Event	St. Paul	79
March 06	D/HH Event	Minneapolis	125
March 06	D/HH Event	Duluth	25
March 08	Presentation	Minneapolis	9
March 08	D/HH Event	St. Paul	43
March 09	Presentation	St. Cloud	23
March 11	D/HH Event	Thief River Falls	12
March 12	Presentation	Thief River Falls	28
March 13	Hard-of-Hearing Event	St. Paul	9
March 15	D/HH Event	St. Paul	54
March 17	D/HH Event	Inver Grove Heights	8
March 19	D/HH Event	Coon Rapids	35
March 20	Presentation	Golden Valley	29
March 22	D/HH Event	St. Paul	45
March 27	Presentation	Virginia	55
March 29	D/HH Event	St. Paul	48
March 30	Presentation	Brooklyn Park	20
Total Presentations: 20			
Total Participants: 736			

Nikki - Speech-to-Speech Outreach

Month/Date	Outreach Description/Location	City	Number of Participants
March 09	A Plus Home Healthcare, Inc.	Bloomington	4
March 09	Assisted Living in Heritage Hall	Bloomington	5
March 09	Bloomington Public Health Home Healthcare	Bloomington	11
March 09	Friendship Village of Bloomington	Bloomington	4
March 09	Guardian Home Care, Inc.	Bloomington	3
March 09	Homecare Resource	Bloomington	3
March 12	Martin Luther Manor	Bloomington	6
March 12	Meadow Woods	Bloomington	5
March 12	Presbyterian Homes Home Care	Bloomington	2
March 12	Professional Resource Network Home Care	Bloomington	2
March 12	Right at Home	Bloomington	2
March 12	Solbakken	Bloomington	3
March 12	Freedom Health Care	Bloomington	5
March 16	Individual Training	Minneapolis	2
March 16	Alpha Millenium Connections	Minneapolis	1
March 16	Beechwood, Inc.	Minneapolis	1
March 16	Fairview Homecare and Hospice	Minneapolis	11
March 18	Family Care Services, Inc.	Minneapolis	7
March 18	May Healthcare, Inc.	Minneapolis	1
March 18	Yoo Hoo We Help, Inc.	Minneapolis	1
March 18	South Minneapolis Workforce Center - Rehab Services	Minneapolis	4
March 24	Children's Theraplay	Maplewood	5
March 24	Comforting Hands	Maplewood	3
March 24	Harmony Home Care	Maplewood	1
March 26	Home Instead Senior Care	Maplewood	7
March 26	Lakeview Commons of Maplewood	Maplewood	4
March 26	V J Homecare Services	Maplewood	2
March 26	Volunteers of America Homecare Services	Maplewood	4
March 31	Capstone Services, Inc.	St. Paul	6
March 31	Metro Social Services, Inc.	St. Paul	2
March 31	Work-Ahead	St. Paul	8
March 31	Midway Training Services	St. Paul	9
March 31	Howry Residential Services	St. Paul	4
March 31	Access to Employment	St. Paul	3
March 31	Elderberry Institute	St. Paul	5
Total Presentations: 35			
Total Participants: 146			

Consumer Relations Office Monthly Outreach Summary

April 2004

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
April 02	Meet with New Customer	West St. Paul	2
April 02	D/HH Event	Shoreview	7
April 03	D/HH Event	St. Paul	23
April 05	D/HH Event	St. Paul	44
April 10	Hard of Hearing Event	Burnsville	15
April 12	D/HH Event	St. Paul	40
April 13	D/HH Event	St. Paul	80
April 16	Adv. Comm. Mtg.	Rochster	8
April 17	HH Event	Golden Valley	32
April 17	D/HH Event	St. Paul	55
April 19	D/HH Event	St. Paul	38
April 20	D/HH Event	St. Paul	45
April 22	D/HH Event	St. Paul	15
April 23	D/HH Event	St. Paul	35
April 26	Exhibition	Duluth	75
April 27	Exhibition	Duluth	55
April 28	D/HH Event	Detroit Lakes	28
April 30	D/HH Event	St. Paul	85
Total Presentations: 18			
Total Participants: 682			

Nikki - Speech-to-Speech Outreach

Month/Date	Outreach Description/Location	City	Number of Participants
April 03	MN Brain Injury Conference	Minneapolis	30
April 07	Independent Options, Inc.	St. Paul	3
April 07	MN Department Of Human Services	St. Paul	10
April 07	Kaposia, Inc./Kaposia Plus	St. Paul	6
April 07	Kaposia Supported Employment Services	St. Paul	2
April 07	Phoenix Services Corp.	St. Paul	6
April 13	Centennial House	Apple Valley	4
April 13	Dakota Homemaking Services, Inc.	Apple Valley	1
April 13	LeSaint Companies	Apple Valley	1
April 13	Specialized Home Healthcare	Apple Valley	2
April 13	Lifeworks, Apple Valley	Apple Valley	5
April 15	Alterra Clare Bridge of Eagan	Eagan	1
April 15	MVR Home Care	Eagan	3
April 15	The Commons on Marice	Eagan	3
April 15	Midwest Special Services	Eagan	5
April 15	ProAct, Inc. - Eagan	Eagan	4
April 15	Opal In-Home Services	Eagan	4
April 20	Compass Minnesota Inc.	Burnsville	2
April 20	Eriksmoen Cottages	Burnsville	3
April 20	Home Instead Senior Care	Burnsville	1
April 20	Quality Home Healthcare Services	Burnsville	1
April 20	Visiting Angels	Burnsville	2
April 22	Midwest Special Services	Burnsville	2
April 22	Chrestomathy of Dakota County	Burnsville	3
April 22	Lifeworks - Burnsville	Burnsville	5
April 22	MRCI - Burnsville	Burnsville	6
April 22	Vocational Support Services, Inc.	Burnsville	2
April 26	Assistive Technology Conference - DECC	Duluth	10
April 27	Booth - Assistive Technology Conference, DECC	Duluth	50
April 29	Alterra Sterling House	Blaine	3
April 29	Care Context Health Services	Blaine	1
April 29	High Land Care	Blaine	4
Total Presentations: 32			
Total Participants: 185			

Consumer Relations Office Monthly Outreach Summary **May 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
May 01	D/HH Event	Red Wood Falls	29
May 03	D/HH Event	Rochester	33
May 06	D/HH Event	Duluth	55
May 07	D/HH Event	St. Paul	89
May 09	D/HH Event	Minneapolis	18
May 10	D/HH Event	St. Paul	20
May 10	D/HH Event	St. Paul	44
May 12	D/HH Event	Inver Grove Heights	11
May 13	D/HH Event	St. Cloud	29
May 14	Deaf Event	Minneapolis	10
May 16	Deaf Event	White Bear Lake	20
May 17	Presentation	White Bear Lake	24
May 17	D/HH Event	St. Paul	16
May 18	D/HH Event	St. Cloud	28
May 20	D/HH Event	Duluth	35
May 24	D/HH Event	St. Paul	20
May 25	Presentation	Princeton	4
May 25	Presentation	Cambridge	8
Total Presentations: 18			
Total Participants: 493			

Nikki - Speech-to-Speech Outreach

Month/Date	Outreach Description/Location	City	Number of Participants
May 05	Midwest IV and Homecare, Inc.	Blaine	3
May 05	Anthony Louis Center	Blaine	2
May 05	North Gables	Blaine	3
May 13	Charles Bronstien Home	Minneapolis	1
May 13	Eden Residential Program	Minneapolis	3
May 13	Opportunity Partners Jorgensen House	Minneapolis	1
May 13	Maria Home	Minneapolis	1
May 13	Northeast House, Inc.	Minneapolis	6
May 13	People II Incorporated	Minneapolis	2
May 14	Meridian Services	Golden Valley	52
May 19	REM Hennepin Pillsbury House	Minneapolis	3
May 19	REM Hennepin Pleasant House	Minneapolis	2
May 19	REM Hennepin Lyndale House	Minneapolis	3
May 19	REM Hennepin Minnehaha House	Minneapolis	2
May 19	Three Thirty Five Ridgewood	Minneapolis	1
May 20	Wingspan Life Resources	Minneapolis	3
May 20	Hennepin County Vocational Services Program	Minneapolis	3
May 20	Hennepin County Economic Assistance	Minneapolis	2
May 20	Bill Kelly House	Minneapolis	2
May 20	Living Challenge	Minneapolis	1
May 20	Minnesota Teen Challenge	Minneapolis	1
May 25	People Incorporated	Minneapolis	2
May 25	In Home Training	Minneapolis	1
May 25	People Incorporated Array West	Minneapolis	1
May 25	Reentry House	Minneapolis	1
May 25	REM Hennepin Queen House	Minneapolis	1
Total Presentations: 26			
Total Participants: 103			

**Consumer Relations Office Monthly Outreach Summary
June 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
June 23	Deaf/HH Event	St. Paul	20
June 26	Deaf/HH Event	St. Cloud	26
June 27 & 28	Two Exhibitions-MADC Conference	Minneapolis	175
June 29	DeafBlind Event	Minneapolis	23
June 30	Deaf/HH Event	St. Paul	20
Total Presentations: 6			
Total Participants: 264			

Nikki - Speech-to-Speech Outreach

Month/Date	Outreach Description/Location	City	Number of
June 10	Beverly Healthcare Excelsior	Excelsior	2
June 10	Echo Bay Healthcare, Inc.	Excelsior	3
June 10	South Shore Park	Excelsior	2
June 10	Excelsior Community Library	Excelsior	3
June 17	Hillside Terrace	Long Lake	4
June 17	Long Lake Assisted Living, LLC	Long Lake	3
June 17	Orono Woodlands	Long Lake	2
June 17	Long Lake Community Library	Long Lake	1
June 17	Orono Woods Senior Community	Long Lake	3
June 22	Mission Nursing Home	Plymouth	2
June 22	Health Corps	Plymouth	1
June 22	Alterra Clare Bridge Plymouth	Plymouth	3
June 22	Bassett Creek Commons	Plymouth	2
June 22	Cornerstone Assisted Living	Plymouth	2
June 22	Regent At Plymouth	Plymouth	3
Total Presentations: 15			
Total Participants: 36			

**Consumer Relations Office Monthly Outreach Summary
July 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
July 14	Exhibition (CapTel)	Bloomington	35
July 15	Exhibition (CapTel)	Bloomington	35
July 16	Exhibition (CapTel)	Bloomington	45
July 25	DHH Event	Cottage Grove	18
July 26	DHH Event	St. Paul	22
July 29	DHH Event	Bloomington	10
Total Presentations: 6			
Total Participants: 165			

Nikki

Month/Date	Outreach Description/Location	City	Number of Participants
July 13	Avada Audiology	Minnetonka	2
July 15	In Home Training	Minnetonka	1
July 21	Walker on the River	Anoka	4
July 27	Avanstar Corporation	Duluth	2
July 28	Hartford Life	Duluth	2
July 29	In Home Training	Minneapolis	2
Total Presentations: 6			
Total Participants: 13			

**Consumer Relations Office Monthly Outreach Summary
August 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
August 07	D/HH Event	Inver Grove Heights	4
August 08	D/HH Event	Maplewood	4
August 14	Hard of Hearing Event	Burnsville	23
August 17	Presentation	St. Cloud	24
August 19	Deaf Event	Cannon Falls	12
August 19	Presentation	St. Cloud	21
August 22	D/HH Event	Sauk Rapids	12
Aug 26th-Sept 6th	Minnesota State Fair Booth	Falcon Heights	12,500
Total Presentations: 20			
Total Participants: 12,600			

Nikki

Month/Date	Outreach Description/Location	City	Number of Participants
August 10	In Home Training	Minneapolis	2
August 12	In Home Training	Mounds View	1
August 13	In Home Training	Maple Grove	2
August 16	In Home Training	Mounds View	1
August 17	Concordia Arms	Maplewood	12
August 19	In Home Training	Minneapolis	2
August 19	In Home Training	Wayzata	3
August 24	Metropolitan Agency on Aging - St. Cloud Age Odyssey Conference	St. Paul	250
Aug 26th-Sept 6th	Minnesota State Fair Booth	St. Paul	
Total Presentations: 21			
Total Participants: 273			

**Consumer Relations Office Monthly Outreach Summary
September 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
September 08	Qwest Advisory Committee-Presentation	Minneapolis	11
September 10	Deaf Event-Presentation	Minneapolis	6
September 11	D/HH Event	Cambridge	12
September 11	HH Event/Presentation	Apple Valley	15
September 13	D/HH Event	St. Paul	27
September 16	MEC Advisory Committee-Presentation	St. Paul	11
September 16	D/HH Event	Inver Grove Heights	8
September 17	Presentation	St. Cloud	23
September 19	Presentation	St. Cloud	18
September 19	HH Event	St. Paul	35
September 20	D/HH Event	St. Paul	28
September 21	D/HH Event-Presentation	St. Paul	55
September 22	Presentation	Detroit Lakes	23
September 22	Presentation	Moorhead	15
September 23	Presentation	St. Paul	28
September 27	D/HH Event	St. Paul	29
September 29	Presentation	St. Paul	12
September 30	D/HH Event	Minneapolis	33
Total Presentations: 18			
Total Participants: 389			

Nikki

Month/Date	Outreach Description/Location	City	Number of Participants
September 09	Homestead at Coon Rapids	Coon Rapids	2
September 15	Whispering Pines Assisted Living	Anoka	3
September 16	In Home Training	Brooklyn Center	6
September 23	Epiphany Assisted Living	Coon Rapids	4
September 25	Ageless Expo, Brainerd Dispatch	Brainerd	155
September 28	Roitenberg Family Assisted Living	St. Louis Park	9
September 28	Lenox Community Senior Center	St. Louis Park	5
September 28	In Home Training	Prior Lake	2
Total Presentations: 8			
Total Participants: 186			

**Consumer Relations Office Monthly Outreach Summary
October 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
October 02	Deaf/HH Event	Brainerd	18
October 04	Deaf/HH Event	St. Paul	33
October 05	Five Presentations	St. Paul	148
October 06	Five Presentations	St. Paul	144
October 07	Presentation	Minneapolis	75
October 08	Deaf/HH Event	Minneapolis	12
October 09	Deaf Aware Fair, Brookdale Mall	Brooklyn Park	1500
October 09	Hard-of-Hearing Event	St. Paul	22
October 11	Two Presentations	Anoka	59
October 11	Deaf/HH Event	St. Paul	34
October 12	Presentation	St. Paul	24
October 13	CapTel Demo	St. Paul	4
October 13	Presentation	Minneapolis	53
October 13	Presentation	Minneapolis	18
October 18	Presentation	St. Paul	20
October 18	Deaf/HH Event	St. Paul	35
October 20	Duluth Senior Expo	Duluth	198
October 21	Deaf/HH Event	St. Paul	48
October 25	Deaf/HH Event	St. Paul	30
October 26	Presentation	St. Paul	24
October 27	Deaf/HH Event	Inver Grove Heights	8
October 28	Presentation	St. Paul	27
October 29	Deaf/HH Event	Coon Rapids	18
October 29	CapTel Demo	St. Paul	1
Total Presentations: 33			
Total Participants: 2553			

Nikki

Month/Date	Outreach Description/Location	City	Number of Participants
October 01	In Home Training	Otsego	2
October 07	Adult Foster Care Conference, St. Cloud	Oakdale	12
October 14	In Home Training	St. Michael	3
October 09	Deaf Aware Fair, Brookdale Mall	Brooklyn Park	40
October 19	In Home Training	Golden Valley	1
October 19	In Home Training	Edina	1
October 19	In Home Training	Woodbury	1
October 20	Duluth Senior Expo Booth	Duluth	150
October 20	Duluth Senior Expo Seminar	Duluth	10
October 26	In Home Training	Columbia Heights	2
October 26	Creekside Gables Senior Housing	Brooklyn Park	5
Total Presentations: 11			
Total Participants: 227			

**Consumer Relations Office Monthly Outreach Summary
November 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
November 01	Three Presentations	Champlin	84
November 01	D/HH Event	St. Paul	24
November 04	Exhibition	Owantonna	100
November 06	D/HH Event	St. Paul	38
November 08	One-on-one Demonstration	St. Paul	2
November 08	Presentation	Inver Grove Heights	28
November 10	Three Presentations	St. Cloud	74
November 11	D/HH Event	Minneapolis	21
November 12	D/HH Event	St. Paul	16
November 13	Hard-of-Hearing Event	Inver Grove Heights	22
November 15	D/HH Event	St. Paul	34
November 16	One-on-one Demonstration	Lilydale	2
November 16	D/HH Event	St. Paul	125
November 17	D/HH Event	Faribault	12
November 18	Presentation	Minneapolis	12
November 18	Qwest Advisory Comm. Mtg	Minneapolis	14
November 20	Deaf/Blind Event	Brooklyn Park	100
November 22	One-on-one Demonstration	St. Paul	2
November 22	D/HH Event	St. Paul	35
November 29	D/HH Event	St. Paul	30
Presentations: 24			
Total Participants: 775			

Nikki

Month/Date	Outreach Description/Location	City	Number of Participants
November 23	Rosepointe Senior Residence	Roseville	10
November 23	In Home Training	Stillwater	2
Total Presentations: 2			
Total Participants: 12			

**Consumer Relations Office Monthly Outreach Summary
December 2004**

Jerry

Month/Date	Outreach Description/Location	City	Number of Participants
December 01	D/HH Event	Duluth	24
December 02	Presentation	Duluth	11
December 06	D/HH Event	St. Paul	39
December 06	Presentation	St. Cloud	9
December 09	D/HH Event	St. Paul	48
December 09	D/HH Event	Inver Grove Heights	7
December 11	Hard-of-Hearing Event	Burnsville	42
December 13	Two Presentations	White Bear Lake	46
December 13	D/HH Event	St. Paul	41
December 15	Two Presentations	Edina	57
December 20	D/HH Event	St. Paul	29
December 27	D/HH Event	St. Paul	35
Total Presentations:	14		
Total Participants:	388		

Nikki

Month/Date	Outreach Description/Location	City	Number of Participants
December 09	In Home Training	Minneapolis	1
December 16	Anthony James Senior Apartments	New Hope	1
December 16	Broadway Village Senior Housing	New Hope	4
December 16	Chardon Court Senior Apartments	New Hope	5
December 16	North Ridge Senior Community	New Hope	2
December 16	St. Therese Senior Housing	New Hope	2
December 16	Osseo Gardens Assisted Living	Osseo	1
December 16	Steeple Pointe Senior Residence	Osseo	2
December 21	In Home Training	Roseville	2
December 29	Earl Brown Terrace Senior Residence	Brooklyn Center	2
December 29	Maranatha Place Senior Housing	Brooklyn Center	2
December 29	Prairie Lodge at Earl Brown Farm	Brooklyn Center	2
December 29	Blaine Courts Senior Residence	Blaine	2
Total Presentations:	13		
Total Participants:	28		

APPENDIX H

Minnesota Department of Human Services
Deaf and Hard of Hearing Services Division

Director
 Bruce Hodek

**Minnesota Commission Serving Deaf
 and Hard of Hearing People
 (MCDHH)
 Executive Director
 Mary Hartnett (unclassified)**

NORTHEAST

**Regional
 Manager**

Cindy Otto

**Admin
 Assistant**
 S. Hite-Kirk (1)

**Program
 Interpreter**
 K. Johnson (1)

Consultant
 C. Blue (1)
 N. Crane (2)

TED Specialist
 L. Peters (1)

NORTHWEST

Regional Manager

Carol Mermon

**Admin
 Assistant**
 I. Iverson-Olson (3)
 K. Harrom (4)

Consultant
 K. Judkins (4)
 M. Schutt (3)

TED Specialist
 C. Stabnow (3)

CENTRAL

Regional Manager

Rich
 Diedrichsen

**(5)
 Admin
 Assistant**
 D. Rasmussen

**Program
 Interpreter**
 L. Hennen

Consultant
 D. Leonard

TED Specialist
 J. Robinson

SOUTHERN

**Regional
 Manager**

Jeff Erickson

**Admin
 Assistant**
 D. Crowson (6)

**Program
 Interpreter**
 P. Guerrero (7)

Consultant
 D. Bohland (6)
 T. Koster (7)

TED Specialist
 R. King Quale (6)
 T. Henning (7)

METRO

Regional Manager

Marie Koehler

**(8)
 Admin
 Assistant**
 T. Fairbrother

Consultant
 L. Brown
 M. Bauer

TED Specialist
 B. Cherryholmes
 S. Hawkins
 (Vacant)

**Community
 Svs Spec**

**Office
 Manager**

T. Schwankl
 (WOC)

**Central Office
 Admin
 Assistant**

(vacant)

**Public Policy
 Analyst/TED
 Administrator**

Mike
 Cashman

**TED Assistant
 Coordinator**
 S. Maheswaran

**TED Admin.
 Assistant**
 S. Fischer

**TED Repair
 Specialist**
 J. Treichel

**TED Shipping
 & Receiving**
 N. Grippa

**Strategic
 Policy
 Analyst**

Curt Micka

**Program
 Development
 Supervisor**

A. McQuaid

Planners
 J. Radatz
 D. Olson

**Program
 Interpreter**
 H. Ortiz

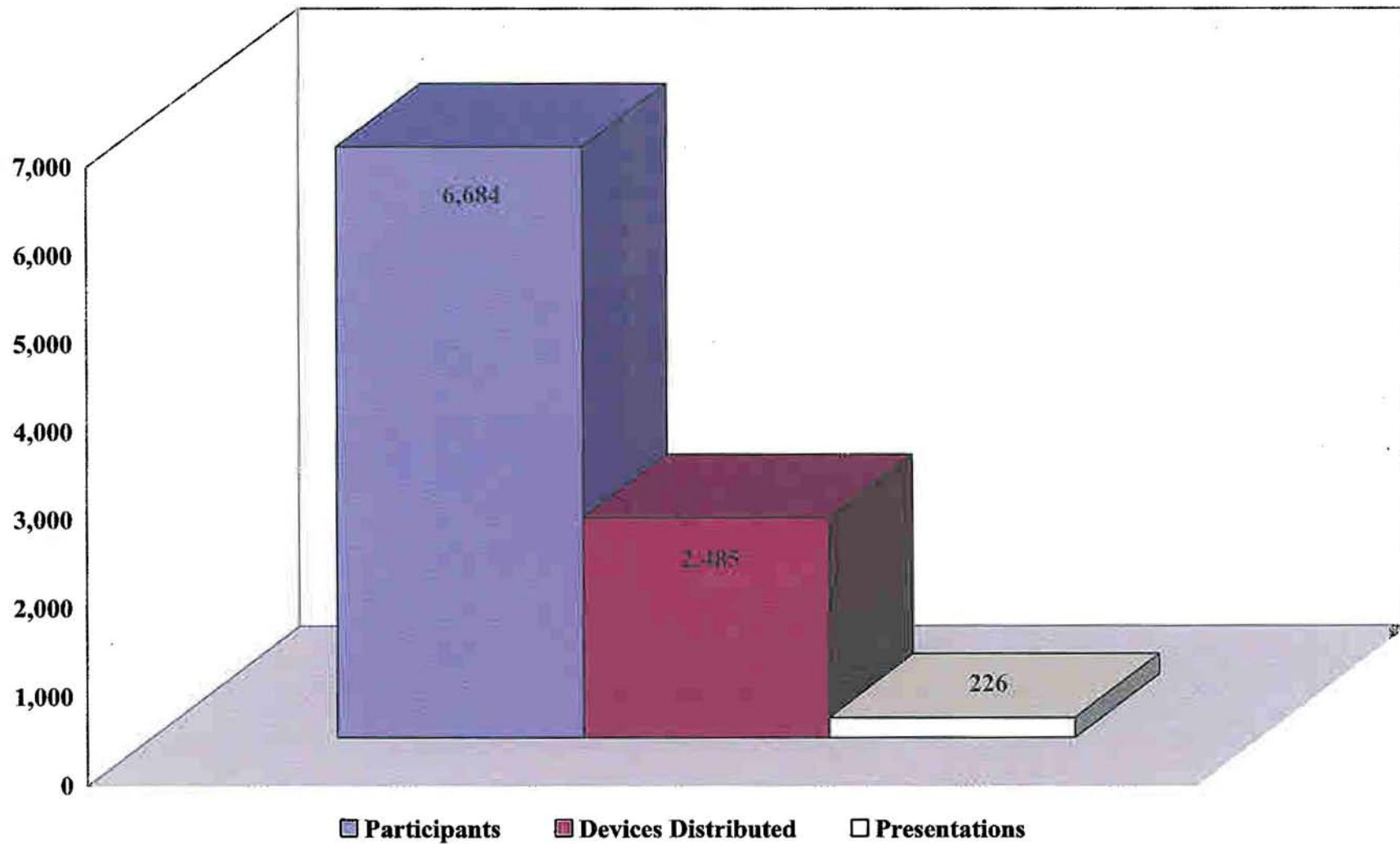
Location Key Code:

(1) Duluth	(5) St. Cloud
(2) Virginia	(6) Rochester
(3) Fergus Falls	(7) Mankato
(4) Bemidji	(8) Metro

Revised 09/04 tes

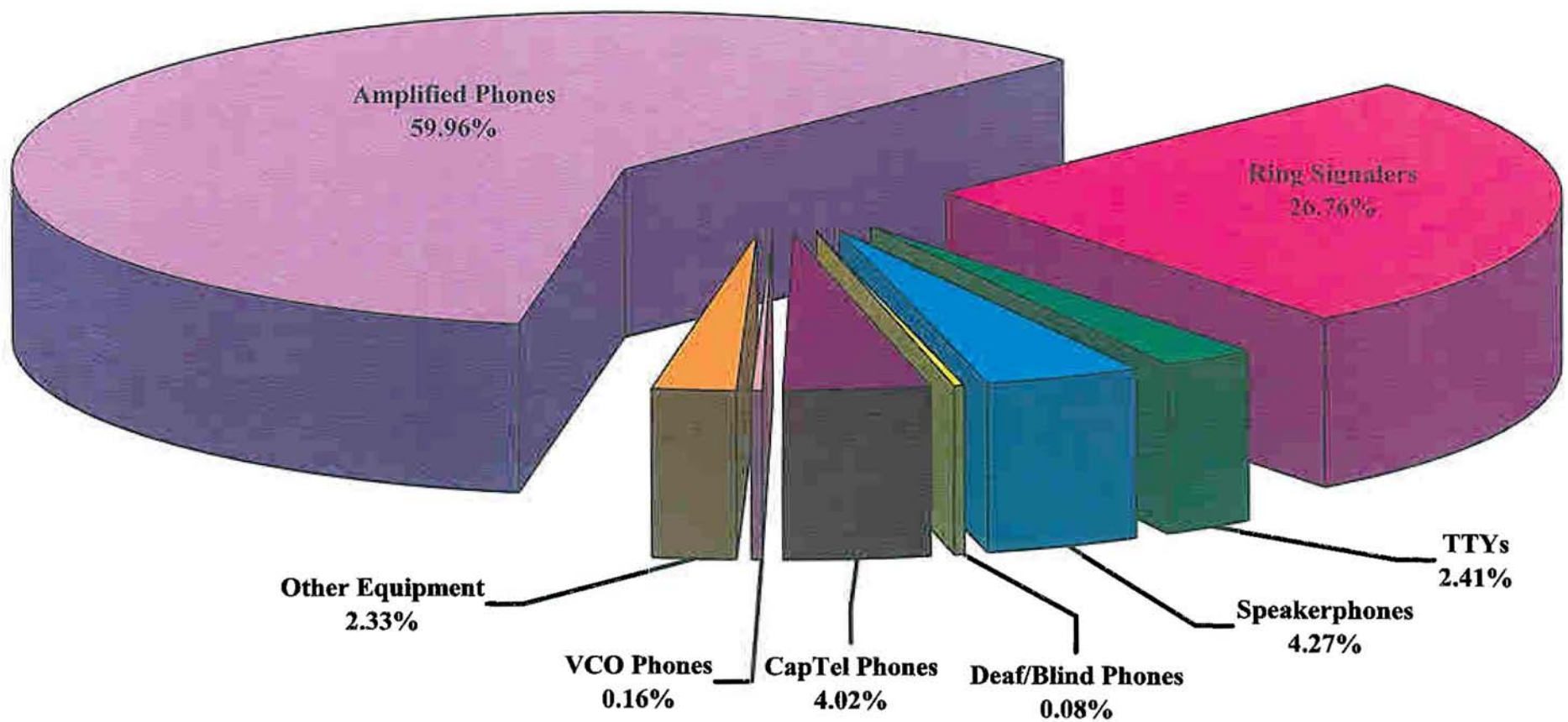
APPENDIX I

2004 Telephone Equipment Distribution Program Activities



Telephone Equipment Distribution Program

Types of Equipment Distributed in 2004



MINNESOTA DEPARTMENT OF COMMERCE
TELECOMMUNICATIONS ACCESS MINNESOTA

MINNESOTA RELAY
AND
TELEPHONE EQUIPMENT DISTRIBUTION PROGRAM



2005 ANNUAL REPORT TO THE
MINNESOTA PUBLIC UTILITIES COMMISSION
DOCKET NO. P999/CI-06-5

JANUARY 31, 2006

Department of Commerce – Telecommunications Access Minnesota
85 7th Place East, Suite 600
St. Paul, Minnesota 55101-3165
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EXECUTIVE SUMMARY & PROGRAM HISTORY

In 1987, the Minnesota Legislature passed legislation creating the Telecommunications Access for Communication Impaired Persons (TACIP) Board for the purpose of enabling people who have difficulty hearing or speaking on the telephone to talk to standard voice telephone users. Two programs were established to accomplish this goal: the Minnesota Relay, which began service on March 1, 1989; and the Equipment Distribution Program (now re-named the Telephone Equipment Distribution Program), which began as a pilot program on October 1, 1988.

The Minnesota Relay is a federally mandated Telecommunications Relay Services (TRS) that allows an individual who has a hearing or speech disability to communicate with a hearing individual in a manner that is functionally equivalent to the ability of an individual who does not have a hearing or speech disability.

Telecommunications Relay Services must be in full compliance with the requirements and intent of Title IV of the Americans with Disabilities Act of 1990, 47 U.S.C. § 225, Federal Communications Commission (FCC) regulations at 47 C.F.R. §§ 64.601 through 64.605 and Minnesota Statute § 237.50 – 237.56.

The TED Program provides specialized telecommunications equipment for eligible persons who are deaf, deaf/blind, hard of hearing, speech disabled and mobility disabled, which enable them to access the telecommunications network.

The state procedures and requirements regulating Minnesota Relay, the Telephone Equipment Distribution Program and the Telecommunications Access Minnesota fund fall under Minnesota Stat. §237.50-.56 and Minnesota Rules, Chapter 8775 (Appendix A).

There have been significant changes and improvements to the Minnesota Relay since its early years of operation. In 1995, the Minnesota Legislature eliminated the TACIP Board and transferred the responsibility for Minnesota Relay to the Minnesota Department of Public Service [the Department of Public Service and the Department of Commerce (DOC) were merged on September 15, 1999]. The Minnesota Department of Human Services, Deaf and Hard of Hearing Services Division (DHS-DHHS), through an interagency agreement with the Department of Commerce, provides the Telephone Equipment Distribution (TED) Program (Minnesota Stat. § 237.51, Subd. 1). The 1995 legislation also provided DHS with the option to establish an advisory board to solicit consumer input regarding Minnesota Relay and the TED Program.

In 1996, after careful consideration of the needs of relay users, the Department of Public Service-TACIP administration (DPS-TACIP) recognized that it was in the best interest of relay users, telephone ratepayers, and the legislature to relieve the state of the burden of owning TRS equipment. It was apparent that the Minnesota Relay facility and its equipment had become severely outdated and beyond the point of overhaul. DPS-TACIP was faced with two options; spend millions of dollars for the purchase of new equipment,

or contract with a qualified TRS vendor to provide continually upgraded equipment and software on a "lease" basis. It was decided that the best way to provide quality and cost effective relay services was to contract with a highly qualified TRS vendor.

Beginning on July 1, 1996, DPS-TACIP contracted with Communication Service for the Deaf (CSD) and Sprint Communications Company, LP (Sprint) to provide Telecommunications Relay Services. While CSD provides the management and human resources components for the Minnesota Relay, Sprint is responsible for providing the relay facilities, maintenance and access to Sprint's fiber optic telecommunications network.

Under a separate subcontract, DPS-TACIP and CSD established a Minnesota Relay Consumer Relations Office (CRO) located in St. Paul, MN. CRO staff, consisting of both deaf and hearing outreach specialists, is available to provide presentations, demonstrations and training to any individual, group or organization in the state. The CRO is also responsible for taking/resolving consumer complaints, answering questions regarding relay services, and meeting with relay users to gather information on the quality and forms of available services.

On June 30, 1996, relay traffic originating in Minnesota was forwarded to relay centers operated jointly by CSD/Sprint. The new Minnesota Relay center, located in Moorhead, opened on December 16, 1996.

In April of 2000, DOC-TACIP, CSD and Sprint learned of City of Moorhead plans to demolish the Minnesota Relay center and other adjacent buildings located on a 23-acre tract to make way for a proposed \$50 million economic revitalization project.

Despite a long list of challenges, DOC-TACIP, Office of the Attorney General, Minnesota Department of Administration, CSD, Sprint, City of Moorhead, and the project's developers worked diligently to arrive at a solution to relocate the relay center within the new development's proposed office complex. The project's developers agreed to demolish the relay center last and build the proposed office complex first, thus enabling the Minnesota Relay to make a seamless transition from their old location to the new office complex on February 20, 2002.

Obtaining brand new office space designed specifically for Minnesota Relay also allowed for a center expansion from 70 workstations to 105 workstations. This expansion created many more jobs, and allowed the Moorhead center to process relay calls originating from the other 32 states and jurisdictions in which Sprint is the TRS provider. The Moorhead center currently employs 103 full-time CAs, 77 part-time CAs, and 12 administrative and management staff. *In 2005, the Moorhead center processed a total of 4,733,811 relay calls; 784,147 were for Minnesota consumers.*

Also, due to the expanded number of workstations and the professionalism and competence of Minnesota's CAs, the Moorhead center was given the responsibility of serving as the back-up center for the Federal Relay Service. The Moorhead center's

services were first engaged by the Federal Relay on July 16, 2002, and these services will continue into the foreseeable future.

Effective August 1, 2002, the name of the TACIP program was changed to Telecommunications Access Minnesota (TAM). DOC sought the name change at the request of consumers objecting to the inclusion of the word "impaired" in the TACIP acronym.

In 2005, the Minnesota Legislature passed legislation that created two new state programs, Accessible News for the Blind and Rural Real-time Captioning, that are to be funded via the TAM surcharge assessed on each wired and wireless telephone access line in Minnesota.

The Accessible News for the Blind program provides accessible electronic information (news and other timely information) for people who are blind and disabled. This program is administered by the commissioner of the Department of Employment and Economic Development (DEED), and has a maximum annual budget of \$100,000.

The Rural Real-time Captioning program provides real-time, closed-captioning of certain local television news programs for people who are deaf, hard-of-hearing and deaf-blind. This program is administered by the commissioner of the Department of Human Services (DHS), and has a maximum annual budget of \$300,000.

This annual report is submitted to the Minnesota Public Utilities Commission in accordance with Minnesota Stat. §237.55, and provides information on the major activities of DOC-TAM during the year 2005. This report also comprises information on the operations of the Minnesota Relay and TED Program, as well as budgetary and statistical data.

TELECOMMUNICATIONS ACCESS MINNESOTA

TAM Administration

The Minnesota Relay and Telephone Equipment Distribution (TED) Program are administered by the Telecommunications Access Minnesota (TAM) program within the Department of Commerce. The relay center is provided to the state under contracts with Communication Service for the Deaf and Sprint Communications Company, LP. The TED Program and Rural Real-time Captioning program are provided to the state under interagency agreements with the Department of Human Services. The Accessible News for the Blind program is provided to the state under an interagency agreement with the Department of Employment and Economic Development. The TAM administrator manages all vendor contracts and interagency agreements to ensure the provision of these services.

TAM Funding

The Minnesota Relay, TED Program, administrative expenses of DOC-TAM, Accessible News Service for the Blind and Rural Real-time Captioning are funded by a \$0.07 surcharge on all wired and wireless access lines in the state of Minnesota.

Minnesota Stat. §237.49 states that "Each local telephone company shall collect from each subscriber an amount per telephone access line representing the total of the surcharges required under sections 237.52, 237.70, and 403.11. Amounts collected must be remitted to the commissioner of public safety in the manner prescribed in section 403.11. The commissioner of public safety shall divide the amounts received proportional to the individual surcharges and deposit them in the appropriate accounts. The commissioner of public safety may recover from the agencies receiving the surcharges the personnel and administrative costs to collect and distribute the surcharge. A company or the billing agent for a company shall list the surcharges as one amount on a billing statement sent to a subscriber."

TAM surcharges collected from telephone access lines are deposited into a dedicated account. Minnesota Stat. §237.52, Subd. 1, states "A telecommunications access Minnesota fund is established as an account in the state treasury. Earnings, such as interest, dividends, and any other earnings arising from fund assets, must be credited to the fund."

Minnesota Stat. §237.52, Subd. 2, states "(a) The commissioner of commerce, the commissioner of employment and economic development, and the commissioner of human services shall annually recommend to the commission an adequate and appropriate surcharge and budget to implement sections 237.50 to 237.56, 248.062, and 256C.30, respectively. The maximum annual budget for section 248.062 must not exceed \$100,000 and for section 256C.30 must not exceed \$300,000. The Public Utilities Commission shall review the budgets for reasonableness and may modify the budget to the extent it is

unreasonable. The commission shall annually determine the funding mechanism to be used within 60 days of receipt of the recommendation of the departments and shall order the imposition of surcharges effective on the earliest practicable date. The commission shall establish a monthly charge no greater than 20 cents for each customer access line, including trunk equivalents as designated by the commission pursuant to section 403.11, subdivision 1.

(b) If the fund balance falls below a level capable of fully supporting all programs eligible under subdivision 5 and sections 248.062 and 256C.30, expenditures under sections 248.062 and 256C.30 shall be reduced on a pro rata basis and expenditures under sections 237.53 and 237.54 shall be fully funded. Expenditures under sections 248.062 and 256C.30 shall resume at fully-funded levels when the commissioner of commerce determines there is a sufficient fund balance to fully fund those expenditures.”

Minnesota’s Telecommunications Relay Services (TRS) program observes all jurisdictional separation of costs as required by the Federal Communications Commission’s 47 C.F.R § 64.604(c)(5), Section 410 of the Communications Act of 1934, Minnesota Stat. § 237.10 and Minnesota Rules, Chapter 7810.6400. All Minnesota Relay intrastate and interstate minutes are reported separately and distinctly to the state and are included in monthly Sprint invoices.

Minnesota Relay local and intrastate minutes, including 49 percent of toll free and 900 minutes, are reimbursed through a fund established by the Minnesota Legislature. In accordance with Minnesota Stat. § 237.52, Subd. 3, “Every telephone company or communications carrier that provides service capable of originating a telecommunications relay call, including cellular communications and other nonwire access services, in this state shall collect the charges established by the commission under subdivision 2 and transfer amounts collected to the commissioner of public safety . . .” Minnesota Relay interstate and international minutes, including 51 percent of toll free and 900 minutes, are reimbursed by the TRS Interstate Fund administered by the National Exchange Carrier Association (NECA).

Costs for interstate and intrastate Video Relay Service (VRS) and Internet Protocol (IP) Relay access and usage are recovered from the TRS Interstate Fund. Please note: VRS and IP Relay are not mandated by the FCC and are not currently provided on Minnesota’s TRS platform. However, VRS and IP Relay are fully accessible to Minnesota consumers (free of charge) through a number of providers who offer these services nationwide.

Population Served

TAM serves Minnesotans who are deaf, deaf-blind, hard-of-hearing, speech disabled mobility disabled and hearing consumers, who want and need to communicate with each other via the telecommunications network.

The U.S. Census Bureau estimates that in 2004 the general population of Minnesota was approximately 5.2 million. Using this figure, it is estimated that **520,000** Minnesotans have hearing loss.

There are approximately 29.8 million deaf and hard-of-hearing people in the United States (about 1 in 10). Hearing loss is the number one disability in the world, and the numbers are likely to rise significantly with the aging of 76 million baby boomers. Hearing loss among those aged 46 to 64 has increased 26 percent over previous generations according to the National Health Interview Survey conducted by the National Center for Health Statistics. The significant increase in “premature” hearing loss can be attributed to baby boomer’s greater exposure to loud noises (such as rock concerts, traffic, power tools, headsets, and the vast array of other electronics) than previous generations. According to statistics, there are more baby boomers with hearing loss than there are people over the age of 65 with hearing loss¹.

Specific statistics on persons with speech and mobility limitations are not readily available.

People who have hearing, vision, speech and mobility limitations need to be able to place and receive telephone calls to family, friends, co-workers, businesses, medical personnel, emergency services, etc. The Minnesota Relay and TED Program help to insure that *all* Minnesotans have access to the telecommunications services and equipment that is central to the ability to communicate and participate in today’s information driven society.

TAM’s Goal

TAM’s goal is provide Telecommunications Relay Services that are in full compliance with the requirements and intent of Title IV of the Americans with Disabilities Act of 1990, 47 U.S.C. § 225, and Federal Communications Commission regulations at 47 C.F.R. § 64.601 - 64.605, and Minnesota regulations. TAM strives to continually improve the Minnesota Relay and TED Program to ensure the provision of functionally equivalent telecommunications access for Minnesotans with hearing, speech and mobility disabilities.

TAM recognizes the importance of looking to the future and continually monitoring the trends and rapid advances in telecommunications technology. TAM is committed to taking a proactive roll in ensuring that Telecommunications Relay Services advance at the same rate, with the same level of quality, and provide the same features and options as the telecommunications services that are available to consumers without hearing, speech or mobility disabilities.

TAM is committed to providing relay education, training and support to Minnesotans. Outreach is imperative to disseminating information on the types of relay services available, who can benefit from various types of relay services, how to place and receive a relay call, how to use various specialized telecommunications equipment, who qualifies for free telecommunications equipment, etc. TAM is also very dedicated to open

¹ Statistics cited by Starkey Laboratories (largest manufacturer of hearing aids in the United States).

communications with relay users regarding complaints and concerns related to Minnesota Relay, and welcomes input from relay users on possible changes or additions to TRS.

DOC-TAM believes that Minnesota Relay has one of the most technologically advanced and reliable relay centers in the nation, and offers one of the most comprehensive outreach services available to consumers.

Role of the Public Utilities Commission

In accordance with Minnesota Stat. §237.55, DOC-TAM must submit its annual report to the Minnesota Public Utilities Commission (PUC). Each report must review the accessibility of the telephone system for users of the Minnesota Relay and the TED Program. In addition, the annual report includes a description of services provided by both the Minnesota Relay and TED Program, funds received and distributed annually for each component of the program, and plans for future operations.

DOC-TAM also submits its annual budget and surcharge recommendations to the PUC for approval. The commission reviews the TAM budget recommendations for reasonableness and may modify the budget to the extent it is determined unreasonable.

MINNESOTA RELAY PROGRESS

Captioned Telephone Voice Carry Over (VCO) Service

DOC-TAM contracts with Sprint for the provision of captioned telephone VCO service (CapTel).

The FCC has determined captioned telephone service to be an enhanced form of VCO, and states in Section III (A)(16) of its Declaratory Ruling (CC Docket No. 98-67) adopted July 25, 2003, that captioned telephone service “. . . is less intrusive and more natural for call participants, and that users who become hearing impaired later in life may find it easier to adjust to captioned telephone VCO service than to traditional TRS services. Therefore, captioned telephone VCO service will reach a segment of the population that has traditionally not been well serviced by current TRS options. . . We believe that captioned telephone service will provide greater functional equivalence for those people who prefer VCO TRS and use this technology.”

CapTel relay service requires a specialized captioned telephone. CapTel allows people with hearing loss to place a call in the same manner they would with a traditional phone. CapTel users can hear all that is being said using their residual hearing. However, when they dial a number using the CapTel phone, the call automatically connects with the captioning service. Using voice recognition technology, a specially trained communication assistant transcribes everything said by the person receiving the call. That person's words appear as electronic text on the display window of the CapTel phone. Captions appear almost simultaneously with the spoken word, allowing CapTel users to understand everything said by hearing, reading or both.

CapTel usage has increased from 90,092 calls totaling 290,719 session minutes of service in 2004, to 179,343 calls totaling 557,791 session minutes of service in 2005. A CapTel call volume chart is provided in Appendix B.

Notification To Telephone Service Providers

In 2005 TAM took an aggressive approach to ensure that all telephone companies serving Minnesota consumers are in compliance with FCC 47 C.F.R. § 64.604(c)(3) regarding public access to information.

FCC 47 C.F.R. § 64.604(c)(3) states that “Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711

access to TRS in a manner reasonably designed to reach the largest number of consumers possible.”

On August 16, 2005, DOC-TAM sent a letter to Minnesota telephone service providers reminding them that they must provide information to their customers on the availability and use of all forms of TRS. A copy of the letter is provided in Appendix C. To date, TAM has received 70 submissions from telephone companies demonstrating their compliance with the FCC requirement. Submissions have ranged from creative and encompassing to horribly outdated, incomplete and incorrect. When TAM receives a copy of a telephone companies directory page, newsletter or bill insert and the item does not comply with the FCC requirement, TAM submits a letter to the telephone company notifying them of their non-compliance. TAM requests that the telephone company publish correct and compliant information, and that the telephone company submit a copy of this information to TAM once it is distributed to their customers.

DOC-TAM is committed to ensuring that telephone companies provide correct and comprehensive information on Minnesota Relay services and intends to send a letter to telephone companies regarding compliance with FCC 47 C.F.R. § 64.604(c)(3) Public Access to Information on an annual basis. TAM will continue to monitor compliance and advise telephone companies when they are not meeting the federal requirement. Examples of a telephone directory page, newsletter, and bill insert have been added to DOC’s website so that telephone companies always have access to the most up-to-date information on Minnesota Relay services.

TRS Platform Enhancements in 2005

New Caller Identification services were implemented for the traditional relay platform. This new enhancement allows Caller ID to function the same way it does when using Caller ID without the relay. Consumers who subscribe to Caller ID from their Local Exchange Carrier are able to see who is calling them and can decide to accept the call or not. If a consumer has their outgoing Caller ID blocked, the relay system does not display their outgoing number identification to ensure privacy.

Minnesota Relay Request for Proposal & Contract Award

Current contracts for the provision of Minnesota Relay (TRS, including CapTel, and the Consumer Relations Office) expire on June 30, 2006. On October 17, 2005, DOC-TAM released a Request for Proposal for the provision of statewide Telecommunications Relay Services. On January 11, 2006, DOC-TAM made a recommendation to the Department of Administration (Admin) that the contract be awarded to Communication Service for the Deaf, Inc. (CSD). Admin has awarded the contract to CSD and the state and contractor are currently in the process of completing the required contract documents.

Future Minnesota Relay Operations

Video Relay Service and Internet Protocol Relay

In a March 2000 Order, the FCC concluded that Video Relay Service (VRS) was a form of TRS, and though the provision of VRS is not required, the FCC permitted VRS intrastate and interstate minutes of usage to be reimbursed from the Interstate TRS Fund.² The Commission explained that the special funding arrangement was temporary and intended to speed the development of VRS.

Similarly, in an April 2002 Order, the FCC determined that Internet Protocol (IP) Relay falls within the statutory definition of TRS, and because there is currently no automatic means for determining whether a call made via IP Relay is intrastate or interstate, the FCC authorized, on an interim basis, recovery of all costs of providing IP Relay from the Interstate TRS Fund.³

Because VRS and IP Relay are not currently mandated by the FCC as required forms of TRS, and because all costs for the provisions of VRS and IP Relay are reimbursed to providers through the Interstate TRS Fund, DOC-TAM does not currently contract for these services. As such, DOC-TAM is unable to obtain *state specific* data on current minutes of usage. However, nationwide VRS and IP Relay usage statistics (from the TRS Interstate Fund Performance Status Report) for the first quarter of funding year July 2005 – June 2006 are:

- IP Relay minutes of usage totaled 26,708,091. The IP Relay rate per minute is currently \$1.278.
- The VRS minutes of usage totaled 9,679,441. The VRS rate per minute is currently \$6.644.

Though the FCC has not yet mandated VRS and IP Relay, and has not determined future cost recovery methodologies for these services, it would appear that in the near future state TRS programs will be responsible for the intrastate portion of the cost to provide these services. As VRS and IP Relay are very popular forms of TRS (apparent by the rapidly increasing minutes of usage for these services), a decision by the FCC to mandate VRS and IP Relay and require individual state programs to be responsible for the intrastate portion of the costs to provide these services would greatly impact the TAM fund and surcharge amount.

² Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, *Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 5140 (2000), released March 6, 2000.

³ Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Petition for Clarification of WorldCom, Inc., CC Docket No. 98-67, *Declaratory Ruling and Second Further Notice of Proposed Rulemaking*, 17 FCC Rcd 7779 (2002) (*IP Declaratory Ruling & Second FNPRM*), released April 22, 2002.

Outreach

One of the most frustrating obstacles that Minnesota Relay users face is hang-ups from businesses. In 2006, TAM intends to launch an aggressive outreach campaign designed to reduce or eliminate the hang-ups that relay users often experience when placing a call to a business. Outreach efforts will include educating businesses on Minnesota Relay services, training businesses and their employees on how to place and receive calls via Minnesota Relay, and providing businesses with the knowledge, awareness and confidence to connect with consumers who are hearing or speech disabled and use Minnesota Relay to place and receive telephone calls. In this win-win outreach effort, relay users will enjoy access to more businesses and businesses will create opportunities to gain new customers.

Anticipated TRS Platform Enhancements in 2006

Over the past two years, CSD and Sprint have continued to work on the development of a new TRS platform that would replace their existing Rockwell Platform. This new platform is being designed with input from forums of State Administrators as well as consumers themselves.

Sprint anticipates being able to begin the release of this new platform in calendar year 2006.

MINNESOTA RELAY SERVICES PROVIDED

Minnesota Relay provides 24 hour, 7 day-a-week Telecommunications Relay Services (TRS) for standard (voice), Text Telephone (TTY), wireless, or personal computer (PC) users to place local, intrastate, interstate, and international calls. Minnesota Relay also processes calls to directory assistance, toll-free and pay-per-call numbers. There are no restrictions on the duration or number of calls placed by a relay user.

Minnesota Relay Features

- **7-1-1** – The abbreviated dialing code for accessing all types of relay services anywhere in the United States.
- **900 Service** – allows Minnesota Relay users to access 900 number pay-per-call services.
- **800/877/888 Numbers** – Minnesota Relay users are able to reach regionally restricted 800, 877, and 888 numbers and business offices of local telephone companies that have special prefixes, all of which would normally be accessible to consumers in their calling area.
- **Answering Machine Retrieval** – TTY users can request a CA to retrieve messages from the user's voice answering machine or voice mail.
- **ASCII Split Screen** – allows high-speed ASCII computer users and CAs to type and communicate more clearly and quickly. Similar to voice-to-voice conversation, ASCII Split Screen provides interrupt capability, when appropriate, for the ASCII user and the voice party.
- **Call Release** – allows the CA to sign-off or be "released" from the telephone line after the CA has set up a telephone call between the originating TTY caller and a called TTY party, such as when a TTY user must go through a TRS facility to contact another TTY user because the called TTY party can only be reached through a voice-only interface, such as a switchboard.
- **Caller ID** – Calls placed through Minnesota Relay will provide the originating calling party number (ANI), or caller ID information, through the local exchange carrier for all local and most long distance calls.
- **CapTel (Captioned Telephone Voice Carry Over Service)** – allows individuals with hearing loss to receive word-for-word captions of what the other person on the call is saying, while also allowing them to use their residual hearing to listen to their phone conversations. The captions, which are generated through a captioning service that uses the latest in voice recognition technology, appear on the text display of the CapTel user's specialized captioned telephone.

- **Carrier of Choice (COC)** – allows relay users to choose their preferred carrier for intrastate, interstate, and international calls. This requires the user's COC to enter into a billing and collection agreement with Sprint.
- **Cellular/PCS Phone Access** – allows cellular customers to reach the Minnesota Relay's toll-free number(s) to complete relay calls.
- **Customer Preference Database** – offers relay users numerous ways to automatically expedite the initiation of custom calls. These pre-selected customer calling features include, but are not limited to: communication modes (TTY, Voice, ASCII), carrier of choice, preferred billing method, frequently dialed numbers, emergency numbers, call block, etc.
- **Directory Assistance** – A CA will relay directory assistance (DA) calls between relay users and the Local Exchange Carrier (LEC) DA operator. Once the caller makes a request for directory assistance, the CA will contact a LEC DA operator. After obtaining the requested phone number, the caller may choose to place the call through the relay or dial it directly, i.e., TTY to TTY. (Note: DA is often subject to charges by the caller's local telephone service provider.)
- **Deaf-Blind Transmission Speed** – A modification of the default transmission speed for Telebraille users. Instead of the default setting at 45 words-per-minute, the transmission speed has been reduced to 15 words-per-minute, with system capability to increase or decrease transmission speed by 5 words-per-minute increments.
- **Emergency Assistance** – Although relay users are discouraged from placing 911 calls through the relay, calls *are* placed at the caller's request. Through Sprint's E911 database, CAs use a "hot button" to automatically place a call to the most appropriate Public Safety Answering Point.
- **Enhanced Turbo Code (E-Turbo™)** – allows TTY callers to automatically submit dialing and call set-up instructions when they dial into Minnesota Relay. This significantly reduces the amount of time necessary for the CA to set-up and process the outbound call. The result is that the TTY caller is connected to their desired party at a speed that is functionally equivalent to that of a non-relay call.
- **Error Correction** – This feature automatically corrects many typographical errors and spells out non-TTY abbreviations that may be used by the CA in voice-to-text transliteration.
- **Flexible Billing** – allows Minnesota Relay users to complete long distance calls using pre-paid calling cards, carrier calling cards, third party billing or by placing collect calls.
- **Gender ID** – This feature automatically matches relay user's gender with the gender of a CA. For example, the user has the option of allowing Minnesota Relay to use the

caller's Customer Preference Database information to automatically match the CA's gender to their own.

- **Hearing Carry Over (HCO)** – allows a hearing person who has very limited or no speech capability to make a phone call. The HCO user types his/her conversation for the CA to read to the hearing person, and listens directly to the hearing person's response. HCO to HCO, HCO to TTY, HCO to STS and HCO to VCO are also available.
- **2-Line Hearing Carry Over (2-Line HCO)** – allows a hearing person with speech difficulties to make and receive telephone calls with real-time interaction (not having to wait for the "GA" to respond). The HCO user uses one telephone line to listen to the other party's conversation, and uses the 2nd line to type his/her conversation for the CA to read to the hearing person. With 2-Line HCO, the relay user does not have to constantly move the telephone receiver from their ear to the TTY machine in order to hear the conversation and type their response. This makes for a smoother and more natural flow to the telephone conversation.
- **Intelligent Call Router** – Technology that automatically and seamlessly routes relay calls to the first available CA in the network.
- **International Calls** – allows the relay user to place and receive calls to and from anywhere in the world (using English or Spanish languages only).
- **Internet Protocol (IP) Relay** – Relay users are able to access IP Relay from home, work, libraries, online cafes, Personal Communications Service handsets, and Personal Digital Assistant devices – anywhere with a computer and Internet access. There is no charge to use IP Relay and even long distance calls are free. IP Relay allows the user to make calls in English, Spanish, or French Creole, and also make two-line Voice Carry Over (VCO) calls.
- **Last Number Redial** – allows relay users to call the last person dialed through the relay without having to provide the last telephone number dialed to the CA.
- **Outdial Restrictions** – If desired, a Minnesota Relay user is able to include in their Customer Preference Database certain restrictions on outbound calls (such as long distance, international, directory assistance, and operator assistance calls and calls to , 800 and pay-per-call numbers). Outdial restrictions prevent unwanted calls from being placed.
- **Recording Machine Capabilities** – allows the CA to record and play back audio-text interaction messages to reduce numerous callbacks to convey entire messages to calling parties.

- **Spanish Relay** – allows a Spanish speaking person to use Minnesota Relay. The CA relays calls between a Spanish speaking person with a hearing or speech disability and a Spanish speaking hearing person.
- **Speech-to-Speech** – allows a speech-disabled person to voice their conversation with assistance, or have their conversation voiced entirely for them. A CA revoices the words of the person with a speech disability or revoices the user's speech synthesizer output to the called party.
- **Telecommunications Service Priority (TSP)** – On October 31, 2005, Sprint successfully activated all 14 of their call centers (including the Moorhead center) under the TSP program. If a national or regional emergency causes service to be disrupted and the Moorhead relay center cannot receive or place calls, Sprint's participation in the TSP program means that Local Exchange Carriers will be required to restore service as rapidly as possible consistent with the priority status assigned to the Moorhead relay center.
- **Three-way Calling Feature** – allows more than two parties to be on the telephone line at the same time with the CA.
- **Transfer Gate Capabilities** – The relay's ability to transfer relay callers to other forms of relay services (i.e. Spanish, CapTel, Speech-to-Speech) or to customer service or a relay center manager.
- **TTY Operator Services** – TTY Operator Service is available to complete a TTY to TTY call, obtain directory assistance information, or receive credit for erroneous billing.
- **Turbo Code Capability** – allows users to send information at the same speed it is typed, resulting in a more natural conversational flow and the ability to interrupt one another.
- **Variable Time Stamp Macro** – This macro enables the relay caller to know when their called party has disconnected from the call.
- **Voice Carry Over (VCO)** – enables people who have difficulty hearing on the phone to voice their conversations directly to the hearing person. The CA then types the hearing person's response to the VCO user. VCO to VCO, VCO to HCO, VCO to TTY and VCO to HCO are also available.
- **Two-Line VCO** – allows VCO users to communicate using a VCO phone or personal computer with ASCII capability and a second line with conference calling capabilities. Two-line VCO allows relay users to use one telephone line for voicing and the other for receiving TTY messages.

- **VCO-With-Privacy-and-No-GA** – allows VCO users to use the standard VCO feature without needing to say “Go ahead”, or “GA”. Additionally, the CA does not listen to the VCO user’s spoken words. Ordinarily, VCO users need to say “GA” so that the CA knows that it is the other party’s turn to speak. With this feature the caller and the called parties do not say “GA.” The responsibility for taking turns when speaking rests entirely upon the calling and called parties because the CA does not hear what the VCO user says.
- **Video Relay Service (VRS)** – allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment. The video link allows the CA to view and interpret the party’s signed conversation and relay the conversation back and forth with a voice caller. VRS allows individuals who may not be able to use the traditional relay due to difficulties typing or spelling on a TTY, such as young children that can sign but not type, an opportunity to access the telecommunication network.
- **Voice Call Progression** – allows voice or HCO callers to listen during call set-up (i.e., ringing or busy).

Call Volumes

In 2005, Minnesota Relay averaged 91,312 calls per month: 75,593 traditional relay calls, 773 Speech-to-Speech calls and 14,945 CapTel calls. Minnesota Relay traditional monthly call volumes for 2005, traditional relay yearly call totals for 1997-2005, 2005 call volume by type, and 2005 calls by calling device are provided in Appendix D.

Minnesota Relay’s traditional relay call volume has been decreasing significantly for the past three years. This decrease can primarily be attributed to the introduction of IP Relay and Video Relay Services in 2002, the introduction of CapTel in 2003, and the increasing reliance on emails and text messaging as communication resources.

ACCESSIBILITY OF TELECOMMUNICATIONS NETWORK

Minnesota Relay Facilities

Minnesota Relay is available 24 hours a day, 365 days a year. The relay service facility, provided by Sprint, uses the Rockwell Galaxy ISS 3000 switching system. The switch is an all-digital system that provides caller accessibility in excess of 99.99 percent. All major systems and components are redundant, which minimizes the dropping of calls originating or terminating in Minnesota.

The Minnesota Relay center utilizes both Uninterruptible Power Source (UPS) and backup power generators to ensure that the relay has uninterrupted power, even in the event of a power outage. UPS is used only long enough for the backup power generators to come on line – within a few minutes. The backup power generators are supplied with sufficient fuel to maintain operations for at least 24 hours. The generators can stay in service for longer

periods of time as long as fuel is available. In the event of a power outage, the UPS and backup power generator ensure seamless power transition until normal power is restored. While this transition is in progress, power to all of the basic equipment and facilities essential to the relay center's operation is maintained. This includes:

- Switch system and its peripherals
- Switch room environment (air conditioning and heating)
- CA positions (consoles/terminals)
- Emergency lights (self-contained batteries)
- System alarms
- Call Detail Record recording

As a safety precaution (in case of a fire during a power failure), the fire suppression system is not electrically powered. Once the back-up generator is on line, stable power is established and maintained to all TRS system equipment and facility environmental control until commercial power is restored.

Transmission Circuits

Sprint is a certified interexchange carrier in all 50 states. Using Sprint's nationwide all digital fiber-optic network, transmission circuits meet, if not exceed, FCC and TAM intraexchange performance standards – the ANSI T1.506-1990, network Performance – Transmission Specifications for Switched Exchange Access Network standards for circuit loss and noise.

Sprint's Synchronous Optical Network (SONET) provides Minnesota Relay with the ability to operate on transmission circuits that form a "self-healing" ring. The SONET ring is a portion of Sprint's all digital fiber-optic network set up in a ring, loop, or circle to provide survivability for that portion of the Sprint network. The Minnesota Relay is, therefore, linked to a coast-to-coast telecommunications route, which ensures voice, data, and video services without interrupting the call. This ensures that Minnesota Relay calls are safeguarded by automatically rerouting service around disruptions in approximately 60 milliseconds.

Switching System

Minnesota Relay's switching system includes redundant Central Processors Units (CPUs) on hot stand-by. This includes a full maintenance and administrative keyboard, screen and printer capabilities, on-line system monitoring, and real-time programming capabilities. The maintenance and administrative terminal has the ability to perform preventative maintenance without taking the system off-line. In addition, on-line and off-line diagnostic routines identify system faults or failures at the individual board level.

Diagnostic procedures are continually processed by the switching system software to detect defective components before they are used. The relay network is designed to contend with weather-related challenges, power outages, and disasters. If one core

switching system must shut down, the other core switching systems in the network remain operational and available to process calls, guaranteeing that communication is accessible at all times.

7-1-1 Dialing Access

As of October 1, 2001, relay users are able to access TRS by simply dialing 7-1-1. On August 9, 2000, the FCC released the Second Report and Order concerning Nationwide 7-1-1 Access to TRS (CC Docket No. 92-105). The Order required all common carriers, wireless providers, payphone vendors, and Private Branch Exchange (PBX) vendors to provide 7-1-1 dialing access to relay services on or before October 1, 2001.

Currently, 56 percent of Minnesota Relay calls are being placed using this dialing shortcut. Relay users are still able to access Minnesota Relay by dialing the 10 digit toll-free access numbers.

Handling of Emergency Calls

Minnesota Relay uses a system for incoming emergency calls that automatically and immediately transfers the relay user to the appropriate Public Safety Answering Point (PSAP). Minnesota Relay considers an emergency call to be one in which a relay user indicates the need to connect to the police department, fire department, paramedics, or ambulance. The following steps will be taken to connect the caller to the appropriate PSAP:

- The CA, when told by a TTY/ASCII user (non-voice) that an emergency exists, will depress a "hot key".
- The CA's terminal instantly sends a query to the E911 database containing the caller's geographic area Automatic Number Identification (ANI).
- The database responds with the telephone number of the PSAP that covers the geographic source of the call, and then, automatically dials the PSAP number and passes the caller's ANI to the E911 service center.

The CA remains on the line until emergency personnel arrive on the scene unless previously released by the caller. The CA also verbally passes the caller's ANI onto the E911 center operator. If the inbound relay caller disconnects prior to reaching E911, the CA will stay on the line to verbally provide the caller's ANI to the E911 center operator.

Speed of Answer

Minnesota Relay meets the FCC mandatory minimum standard for TRS speed of answer [FCC 47C.F.R. § 64.604(b)(2)], which states that "TRS facilities shall, except during network failure, answer 85% of all calls within 10 seconds by any method which results in the caller's call immediately being placed, not put in a queue or on hold." DOC-TAM's TRS contract with Sprint requires a higher standard than that mandated by the FCC, requiring that 90% of Minnesota Relay calls be answered within 10 seconds. In 2005, Minnesota Relay's average speed of answer was 2.2 seconds, and the average service level

was 94 percent (see Appendix E for charts demonstrating monthly average speed of answer and service levels).

Minnesota Relay is equipped with sufficient facilities to provide a Grade of Service (GOS) of P.01 or better for calls entering the Minnesota call center switch equipment.

Equal Access to Interexchange Carriers

Minnesota Relay users are able to have their intrastate, interstate and international calls carried by any interexchange carrier who has agreed to participate in the Minnesota TRS Carrier of Choice (COC) program. When a caller indicates their COC preference, the CA will verify that the requested carrier is a COC participant; if they are, the call will be routed accordingly. Callers will be able to use any billing method made available by the requested carrier including collect, third party, prepaid and calling cards.

The current participating members of Minnesota Relay's Carrier of Choice program are:

- AT&T Communications
- Broadwing Communications
- Broadwing Telecommunications
- Excel Telecommunications, Inc.
- Global Crossings
- MCI
- McLeod USA
- Metromedia
- OPEX Long Distance
- Qwest
- SBC Long Distance
- Sprint/Nextel
- Telegroup
- Touch America
- USLink
- VarTec Telecom, Inc.
- Verizon Long Distance
- WilTel
- Working Assets
- WorldCom
- 10-10-220 (Telecom USA)
- 10-10-275 (WorldxChange)
- 10-10-321 (Telecom USA)
- 10-10-502 (WorldxChange)
- 10-10-629 (WorldxChange)
- 10-10-636 (Clear Choice)
- 10-10-752 EXCEL
- 10-10-781 (WorldxChange)
- 10-10-811 (VarTec FiveLine)
- 10-10-834 (WorldxChange)
- 10-10-987

If a Minnesota Relay caller does not indicate a COC preference to the CA, either on-line or in their customer preference database, or if their preferred carrier is not a COC participant, the call will be carried over the Sprint network. As with long distance calls carried by Sprint, most COC participants limit billing methods based on the type of line from which the call originates.

When a requested carrier is not a COC participant, Sprint has established a procedure where the carrier will be notified, verbally and in writing, of its obligation to provide access to TRS users and encourage their participation in the COC program.

Rates

Minnesota Relay users are charged no more for services than those charges paid by standard "voice" telephone users. Minnesota Relay users who select Sprint as their interstate carrier will be rated and invoiced by Sprint. Users who select a preferred interstate carrier via the Minnesota Relay COC list will be rated and invoiced by the selected interstate carrier. Minnesota Relay users calling long distance are only billed for conversation time.

Consumer Complaints

In 2005, Minnesota Relay received complaints on less than 1 percent of relay calls (1,095,739 calls were relayed and only 98 complaints were filed).

Minnesota Relay users have the option of calling the TAM administrator (800-657-3599), Minnesota Relay Consumer Relations Office (800-657-3775), Sprint's Minnesota account manager (217-698-4031), or Sprint's 24-hour customer service line (1-800-676-3777) to file a complaint or commendation. Or, a user may request to speak to a relay supervisor during or immediately after a relay call. In addition, the CA has the capability to transfer the caller on-line to Sprint's customer service department.

Sprint provides copies of each TRS Customer Contact form, which includes the date the complaint was filed, an explanation of the complaint, the date the complaint was resolved, an explanation of the resolution and any other pertinent information to the TAM administrator. Further, Sprint and the Consumer Relations Office (CRO) maintain a log of each individual complaint or commendation and provide comprehensive reports to the TAM administrator monthly and annually.

DOC-TAM submits an annual Complaint Log Summary to the FCC in accordance with C.F.R. § 64.605(c)(1)(ii).

In the event that DOC-TAM fails to take action within 180 days after a complaint is filed about Minnesota Relay, the FCC shall exercise jurisdiction over the complaint. Failure to meet the deadlines for complaint resolution may adversely affect the continued certification of Minnesota Relay [see C.F.R. § 64.605(c)(6)(iii)].

CONSUMER RELATIONS OFFICE

Minnesota Relay outreach is provided through Minnesota Relay's Consumer Relations Office (CRO). The CRO's main responsibilities are to educate the public about TRS and the Minnesota Relay, and to receive and resolve consumer complaints. The CRO currently consists of a senior manager who oversees outreach programs, receives and resolves consumer complaints, answers consumer questions and handles office administration, and two outreach specialists who conduct relay education, demonstrations and equipment training.

Outreach activities include the following:

- Contacting organizations to schedule presentations and/or to provide them with written information on Minnesota Relay services.
- Contacting hospitals, nursing homes, rehabilitation facilities, and other medical facilities to schedule presentations and/or to provide printed materials.
- Conducting presentations on a continual basis to American Sign Language I class students (i.e. at the University of Minnesota).
- Staffing a booth at exhibitions, seminars and the Minnesota State Fair (the Minnesota Relay booth was visited by 17,500 people during the 2005 State Fair).
- Conducting one-on-one training sessions for individuals who are having trouble using specialized telephone equipment (i.e. TTY's, amplified telephones, VCO telephones, CapTel).
- Conducting "drop-in" visits at organizations that serve persons with hearing, speech or mobility disabilities.

Outreach presentations vary depending on audience needs. A typical presentation begins with background on the presenter, and consists of an introduction to relay (including a video), an overhead slide or PowerPoint presentation, demonstration of equipment, distribution of relay brochures and related materials. This is followed by question/answer time.

When presenting to a deaf or hard-of-hearing audience, more time is spent detailing the types of relay services that are applicable to their needs, such as Two-Line VCO, CapTel and Answering Machine Retrieval use.

When presenting to children, outreach staff makes learning fun by singing and signing the ABC's. A TTY is brought in for the children to type on and the process of calling a Deaf friend is discussed and demonstrated. ASL bookmarks are distributed and the children are encouraged to ask questions.

In 2005, the CRO staff conducted 390 presentations reaching 27,730 Minnesotans.

Reports containing the CRO's outreach efforts are compiled monthly and forwarded to the TAM administrator. The CRO's monthly outreach summaries for 2005 are attached in Appendix F.

Outreach materials available from the Minnesota Relay Consumer Relations Office include:

- Minnesota Relay Brochure (English & Spanish)
- Voice Carry Over Brochure (English & Spanish)
- Speech-to-Speech Brochure (English & Spanish)
- Hearing Carry Over Brochure
- CapTel Brochure
- Minnesota Relay Bookmarks
- Minnesota Relay St. Paul/Minneapolis Area Code Wallet Map
- Speech-to-Speech Outreach Informational Folder

TELEPHONE EQUIPMENT DISTRIBUTION PROGRAM

The Telephone Equipment Distribution Program (TED Program) is responsible for distributing telecommunication devices to income eligible Minnesotans, informing communication-impaired persons of services available through the program, and providing training in the use of the telecommunication devices. Minnesota Stat. §237.50, Subd. 3 defines "communication-impaired" to mean "certified as deaf, severely hearing impaired, hard-of-hearing, speech impaired, deaf and blind, or mobility impaired if the mobility impairment significantly impedes the ability to use standard customer premises equipment."

The TED Program is administered through an interagency agreement between the Department of Human Services (DHS), Deaf and Hard of Hearing Services Division (DHHSD) and DOC-TAM. DHHSD provides access to an established network of eight regional service centers around the state and has professional staff experienced in working with people who are deaf, hard of hearing deaf/blind, speech disabled or mobility disabled. Each of the regional service centers has an advisory committee that meets quarterly. During these meetings, consumer feedback is collected about both the TED Program and Minnesota Relay.

TED Program services are provided through six of the DHHSD regional offices: Duluth, Fergus Falls, Mankato, St. Cloud, Rochester and St. Paul.

Authority to Provide Equipment

Minnesota Stat. §237.51, Subd. 5(3) provides DHS with the authority to establish specifications for special communication devices to be purchased under section 237.53, Subd. 3. This authorizes DHS to evaluate and purchase common devices that are beneficial to eligible persons under its distribution program.

The types of equipment distributed include, but are not limited to:

- Telecommunication Devices for the Deaf (TTYs/TDDs)
- Amplified Telephones (both hearing and voice)
- Ring Signaling Devices (auditory, visual and tactile)
- Voice Carry Over Phones
- Hearing Carry Over Phones
- CapTel Phones
- Remote Control Speaker Phones
- TTYs with Large Visual Display
- Braillephones

Program Outreach

DHHS is responsible for the promotion of TED Program services and activities. In 2005, TED Program outreach specialists conducted more outreach by traveling to potential customers and providing information and training "face-to-face." While websites, emails and telephone calls can be an efficient, effective and convenient way of providing information, TED Program specialists found that many consumers have a more positive experience if information is provided to them in person. Traveling to consumers to provide information helps eliminate apprehension and mistrust, and results in a more personal, relaxed and productive experience for both the consumer and the program specialist.

Statistics show that there is significant hearing loss among senior citizens. Currently, one in four senior citizens is diagnosed with hearing loss, and the number of individuals with a loss of hearing is expected to rise as the baby boomer generation matures.

Program specialists have found attending senior gatherings and luncheons to be a particularly successful means of outreach, as consumers are able to view and test various types of equipment and ask questions, one-on-one, in a setting they are comfortable with. This type of outreach also allows specialists to formulate a clear picture of what each person's particular needs may be and ensures the consumer will receive the most appropriate equipment to meet their needs.

2005 outreach efforts included:

- 93 presentations were conducted to groups of professionals and potential consumers.
- 46 booths were setup at health fairs and senior expos for potential consumers and professionals.
- Networking was accomplished at various expos and professional conferences.
- Staff attended professional agency monthly meetings.
- 8,000 bookmarks were included in senior food boxes at Second Harvest.
- Advertisements were placed in various newspapers and print publications.
- Information about the TED Program was included in all literature distributed by DHHS.
- Brochures and applications were distributed to numerous service professionals and agencies.
- Earplugs and magnets were distributed at outreach booths.
- Updated Minnesota Relay and TED Program information was sent to all Minnesota telephone companies for placement in directories and newsletters.
- Mass mailings were sent to the following agencies: Housing Authority agencies, Veteran Officers, senior housing, Minnesota Academy of Audiology, independent living centers, parish nurses in churches, senior nutrient sites, recreational centers, Meals on Wheels, Minnesota Council on Aging, American Legions, VA offices and food banks.

The chart below lists the number of *first time* consumers served by the TED Program, as well as the number of devices distributed to new program participants for calendar years 1998-2005. The TED Program also provides repeat service to equipment recipients who need further assistance once the equipment is initially provided. Consumers often contact the TED Program to receive additional training or to exchange equipment because their needs have changed. The most common example is when a person's hearing deteriorates and they are no longer able to access the telephone network with the equipment they first received. In 2005, the TED Program provided service to 1,872 new program participants and 1,121 repeat program participants, *for a total of 2,993 Minnesotans receiving assistive telecommunications equipment in 2005.*

Year	Number of New Program Participants Served	Number of Devices Distributed to New Program Participants
1998	2,069	2,120
1999	2,141	2,340
2000	2,105	2,695
2001	1,882	2,431
2002	1,913	2,584
2003	1,906	2,337
2004	1,988	2,485
2005	1,872	2,405

The TED Program also provides repair and/or replacement of equipment that is no longer working properly. A portion of the over 40,431 devices the TED Program has distributed since its inception are returned each year due to equipment malfunctions. The equipment is becoming older and there is a higher incidence of repairs in the past couple of years.

Statistical Information

A report of TED Program activities is submitted quarterly to the TAM administrator by the TED Program administrator. The report documents outreach activity, the number of households receiving equipment, the number of individuals served and the kinds of equipment distributed. The charts provided in Appendix G show 2005 TED Program outreach activities and the types of equipment distributed.

Population Served

TED Program serves a wide range of individuals with a variety of communication needs. The average consumer served is over 70 years of age, hard of hearing, and female. In 2005, 61 percent of TED Program participants were female. Eighty-nine percent of TED Program participants are hard of hearing, 5 percent are deaf, and 6 percent have "other" communication needs (i.e. speech or physical disability). Sixty-three percent of TED Program participants live outside of the seven-county metropolitan area.

Satisfaction Survey

In 2005, the TED Program distributed surveys to 300 program participants who had received equipment in the previous year. Seventy-four percent of the surveys were returned, and the results were very encouraging. Ninety-seven percent of survey respondents indicated that they are currently using the telephone equipment they received and the same number indicated that they are satisfied with the equipment. Ninety-nine percent of responding program participants indicated that they are happy with the service they received from the TED Program.

Future TED Program Operations

Internet Based Database

In 2005, the TED program began developing a new program database. Currently, program data and documents are not centrally located, thus causing the assembly and dissemination of information to be somewhat complicated, and the workflow to be less efficient.

The new database will allow all program data and forms to be centrally located, will increase system integrity and security, and will be more user-friendly and efficient. The new database is anticipated to be implemented in 2006.

Future Technology

The TED Program continually explores new telecommunications equipment possibilities for distribution. Telecommunications technology is rapidly advancing, and as this industry evolves, the TED Program must reevaluate the needs of the consumers it serves and analyze the types of equipment available to best meet those needs.

Two trends that staff is tracking are the impact of the maturing baby boomer population and the effects of the very mobile and fast-paced world we live in. There is a higher rate and earlier onset of hearing loss among the baby boomer generation than preceding generations, which indicates that more people will be looking for assistive telecommunications equipment, and at a younger age than in the past. In addition, our society enjoys the ability to make calls (almost) wherever and whenever they want. To keep pace with these changes, the TED Program will examine new wireless solutions that will allow participants to communicate with friends, family & businesses in a manner that keeps pace with technological advancements utilized by people without hearing, speech and mobility disabilities.

The TED Program is also researching additional equipment options for people who are deaf/blind and people with physical and speech disabilities. This segment of the population has been underserved due to the lack of telecommunications technology available to meet their needs, and the high cost of the specialized equipment that is available.

Scanning Files

DHS has implemented a new scanning project in order to reduce paper files. The TED Program is exploring this opportunity to centralize all files in the database thereby reducing paper files.

FY 2005 & FY 2006 REVENUES AND EXPENDITURES

BUDGET SUMMARY	FY 2005 Actual	FY 2006 Projected
REVENUE		
Surcharge Revenue at \$0.07 per Subscriber Line	\$ 7,334,023.06	\$ 4,900,000.00
TAM Interest	\$ 159,096.23	\$ 260,000.00
TED Program Interest	\$ 2,751.14	\$ 2,750.00
TOTAL REVENUE	\$ 7,495,870.43	\$ 5,162,750.00
EXPENSES		
TAM Administration	\$ 104,134.74	\$ 177,600.00
DHS/DHHS (TED Program)	\$ 1,463,435.20	\$ 1,800,000.00
Credit to DHS/DHHSD for TED Program Account Discrepancy	\$ -	\$ -
Sprint (Minnesota Relay)	\$ 2,342,235.76	\$ 2,290,600.00
CSD (Minnesota Relay)	\$ 1,835,421.74	\$ 1,518,000.00
CSD (Consumer Relations Office)	\$ 197,702.24	\$ 240,000.00
CapTel Trial	\$ -	\$ -
TOTAL TAM PROGRAM EXPENSES	\$ 5,942,929.68	\$ 6,026,200.00
TAM PROGRAM IMPACT	\$ 1,552,940.75	\$ (863,450.00)

STATEMENT OF FUND BALANCE	FY 2005 Actual	FY 2006 Projected
Balance at Beginning of Fiscal Year	\$ 5,549,493.84	\$ 7,102,434.59
DHS-TED Program Cash Advance (July)	\$ (200,000.00)	\$ (200,000.00)
Return of DHS-TED Program Cash Advance (June)	\$ 200,000.00	\$ 200,000.00
TAM Program Impact	\$ 1,552,940.75	\$ (863,450.00)
DEED - Accessible News for the Blind	\$ -	\$ (54,000.00)
DHS - Rural Real-time Captioning	\$ -	\$ (100,000.00)
TAM Fund Balance at End of Fiscal Year	\$ 7,102,434.59	\$ 6,084,984.59

APPENDICES

APPENDIX A

Minnesota Statutes 2005, Chapter 237.

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237.50

237.50 Definitions.

Subdivision 1. **Scope.** The terms used in sections 237.50 to 237.56 have the meanings given them in this section.

Subd. 2. Repealed, 1995 c 190 s 17

Subd. 3. **Communication impaired.** "Communication impaired" means certified as deaf, severely hearing impaired, hard-of-hearing, speech impaired, deaf and blind, or mobility impaired if the mobility impairment significantly impedes the ability to use standard customer premises equipment.

Subd. 4. **Communication device.** "Communication device" means a device that when connected to a telephone enables a communication-impaired person to communicate with another person utilizing the telephone system. A "communication device" includes a ring signaler, an amplification device, a telephone device for the deaf, a Braille device for use with a telephone, and any other device the Department of Human Services deems necessary.

Subd. 4a. **Deaf.** "Deaf" means a hearing impairment of such severity that the individual must depend primarily upon visual communication such as writing, lip reading, manual communication, and gestures.

Subd. 5. **Exchange.** "Exchange" means a unit area established and described by the tariff of a telephone company for the administration of telephone service in a specified geographical area, usually embracing a city, town, or village and its environs, and served by one or more central offices, together with associated facilities used in providing service within that area.

Subd. 6. **Fund.** "Fund" means the telecommunications access Minnesota fund established in section 237.52.

Subd. 6a. **Hard-of-hearing.** "Hard-of-hearing" means a hearing impairment resulting in a functional loss, but not to the extent that the individual must depend primarily upon visual communication.

Subd. 7. **Interexchange service.** "Interexchange service" means telephone service between points in two or more exchanges.

Subd. 8. **Inter-LATA interexchange service.** "Inter-LATA interexchange service" means interexchange service originating and terminating in different LATAs.

Subd. 9. **Local access and transport area.** "Local access and transport area (LATA)" means a geographical area designated by the Modification of Final Judgment in U.S. v. Western Electric Co., Inc., 552 F. Supp. 131 (D.D.C. 1982), including modifications in effect on the effective date of sections 237.51 to 237.54.

Subd. 10. **Local exchange service.** "Local exchange service" means telephone service between points within an exchange.

Subd. 11. **Telecommunication relay service.** "Telecommunication relay service" means a central statewide service through which a communication-impaired person, using a communication device, may send and receive messages to and from a non-communication-impaired person whose telephone is not equipped with a communication device and through which a non-communication-impaired person may, by using voice communication, send and receive messages to and from a communication-impaired person.

HIST: 1987 c 308 s 1,8; 1988 c 621 s 2; 1993 c 272 s 2-6,17; 1995 c 190 s 1; 2004 c 228 art 1 s 74

237.51

237.51 Telecommunications access Minnesota program administration.

Subdivision 1. **Creation.** The commissioner of commerce shall:

(1) administer through interagency agreement with the commissioner of human services a program to distribute communication devices to eligible communication-impaired persons; and

(2) contract with a qualified vendor that serves communication-impaired persons to create and maintain a telecommunication relay service.

For purposes of sections 237.51 to 237.56, the Department of Commerce and any organization with which it contracts pursuant to this section or section 237.54, subdivision 2, are not telephone companies or telecommunications carriers as defined in section 237.01.

Subd. 2. Repealed, 1995 c 190 s 17

Subd. 3. Repealed, 1995 c 190 s 17

Subd. 4. Repealed, 1995 c 190 s 17

Subd. 5. **Commissioner of commerce duties.** In addition to any duties specified elsewhere in sections 237.51 to 237.56, the commissioner of commerce shall:

(1) prepare the reports required by section 237.55;

(2) administer the fund created in section 237.52; and

(3) adopt rules under chapter 14 to implement the provisions of sections 237.50 to 237.56.

Subd. 5a. Department of Human Services duties. (a)

In addition to any duties specified elsewhere in sections 237.51 to 237.56, the commissioner of human services shall:

(1) define economic hardship, special needs, and household criteria so as to determine the priority of eligible applicants for initial distribution of devices and to determine circumstances necessitating provision of more than one communication device per household;

(2) establish a method to verify eligibility requirements;

(3) establish specifications for communication devices to be purchased under section 237.53, subdivision 3; and

(4) inform the public and specifically the community of communication-impaired persons of the program.

(b) The commissioner may establish an advisory board to advise the department in carrying out the duties specified in this section and to advise the commissioner of commerce in carrying out duties under section 237.54. If so established, the advisory board must include, at a minimum, the following communication-impaired persons:

(1) at least one member who is deaf;

(2) at least one member who is speech impaired;

(3) at least one member who is mobility impaired; and

(4) at least one member who is hard-of-hearing.

The membership terms, compensation, and removal of members and the filling of membership vacancies are governed by section 15.059. Advisory board meetings shall be held at the discretion of the commissioner.

Subd. 6. Repealed, 1995 c 190 s 17

HIST: 1987 c 186 s 15; 1987 c 308 s 2,8; 1988 c 621 s 3; 1990 c 571 s 41; 1990 c 598 s 3; 1992 c 430 s 1,2; 1992 c 518 s 1; 1993 c 272 s 7-11,17; 1995 c 190 s 2-4; 1998 c 386 art 2 s 70; 1999 c 149 s 1; 1Sp2001 c 4 art 6 s 60-62; 2002 c 329 s 2

237.52

237.52 Telecommunications access Minnesota fund.

Subdivision 1. Fund established. A telecommunications access Minnesota fund is established as an account in the state treasury. Earnings, such as interest,

dividends, and any other earnings arising from fund assets, must be credited to the fund.

Subd. 2. **Assessment.** (a) The commissioner of commerce, the commissioner of employment and economic development, and the commissioner of human services shall annually recommend to the commission an adequate and appropriate surcharge and budget to implement sections 237.50 to 237.56, 248.062, and 256C.30, respectively. The maximum annual budget for section 248.062 must not exceed \$100,000 and for section 256C.30 must not exceed \$300,000. The Public Utilities Commission shall review the budgets for reasonableness and may modify the budget to the extent it is unreasonable. The commission shall annually determine the funding mechanism to be used within 60 days of receipt of the recommendation of the departments and shall order the imposition of surcharges effective on the earliest practicable date. The commission shall establish a monthly charge no greater than 20 cents for each customer access line, including trunk equivalents as designated by the commission pursuant to section 403.11, subdivision 1.

(b) If the fund balance falls below a level capable of fully supporting all programs eligible under subdivision 5 and sections 248.062 and 256C.30, expenditures under sections 248.062 and 256C.30 shall be reduced on a pro rata basis and expenditures under sections 237.53 and 237.54 shall be fully funded. Expenditures under sections 248.062 and 256C.30 shall resume at fully-funded levels when the commissioner of commerce determines there is a sufficient fund balance to fully fund those expenditures.

Subd. 3. **Collection.** Every telephone company or communications carrier that provides service capable of originating a telecommunications relay call, including cellular communications and other nonwire access services, in this state shall collect the charges established by the commission under subdivision 2 and transfer amounts collected to the commissioner of public safety in the same manner as provided in section 403.11, subdivision 1, paragraph (d). The commissioner of public safety must deposit the receipts in the fund established in subdivision 1.

Subd. 4. **Appropriation.** Money in the fund is appropriated to the commissioner of commerce to implement sections 237.51 to 237.56, to the commissioner of employment and economic development to implement section 248.062, and to the commissioner of human services to implement section 256C.30.

Subd. 5. **Expenditures.** (a) Money in the fund may only be used for:

(1) expenses of the Department of Commerce, including personnel cost, public relations, advisory board members' expenses, preparation of reports, and other reasonable expenses not to exceed ten percent of total program expenditures;

(2) reimbursing the commissioner of human services for purchases made or services provided pursuant to section 237.53;

(3) reimbursing telephone companies for purchases made or services provided under section 237.53, subdivision 5; and

(4) contracting for establishment and operation of the telecommunication relay service required by section 237.54.

(b) All costs directly associated with the establishment of the program, the purchase and distribution of communication devices, and the establishment and operation of the telecommunication relay service are either reimbursable or directly payable from the fund after authorization by the commissioner of commerce. The commissioner of commerce shall contract with the message relay service operator to indemnify the local exchange carriers of the relay service for any fines imposed by the Federal Communications Commission related to the failure of the relay service to comply with federal service standards. Notwithstanding section 16A.41, the commissioner may advance money to the contractor of the telecommunication relay service if the contractor establishes to the commissioner's satisfaction that the advance payment is necessary for the operation of the service. The advance payment may be used only for working capital reserve for the operation of the service. The advance payment must be offset or repaid by the end of the contract fiscal year together with interest accrued from the date of payment.

HIST: 1987 c 308 s 3,8; 1988 c 621 s 4; 1992 c 518 s 2; 1993 c 272 s 12,13,17; 1995 c 190 s 5-7; 1995 c 201 s 1; 1Sp2001 c 4 art 6 s 63-65; 2002 c 329 s 3; 1Sp2003 c 1 art 2 s 67; 2005 c 81 s 1,2

237.53

237.53 Communication device.

Subdivision 1. **Application.** A person applying for a communication device under this section must apply to the program administrator on a form prescribed by the Department of Human Services.

Subd. 2. **Eligibility.** To be eligible to obtain a communication device under this section, a person must be:

(1) able to benefit from and use the equipment for its intended purpose;

(2) communication impaired;

(3) a resident of the state;

(4) a resident in a household that has a median income at or below the applicable median household income in the state, except a deaf and blind person applying for a telebraille unit may reside in a household that has a median income no more than 150 percent of the applicable median household income in the

state; and

(5) a resident in a household that has telephone service or that has made application for service and has been assigned a telephone number; or a resident in a residential care facility, such as a nursing home or group home where telephone service is not included as part of overall service provision.

Subd. 3. **Distribution.** The commissioner of human services shall purchase and distribute a sufficient number of communication devices so that each eligible household receives an appropriate device. The commissioner of human services shall distribute the devices to eligible households in each service area free of charge as determined under section 237.51, subdivision 5a.

Subd. 4. **Training; maintenance.** The commissioner of human services shall maintain the communication devices until the warranty period expires, and provide training, without charge, to first-time users of the devices.

Subd. 5. **Wiring installation.** If a communication-impaired person is not served by telephone service and is subject to economic hardship as determined by the Department of Human Services, the telephone company providing local service shall at the direction of the administrator of the program install necessary outside wiring without charge to the household.

Subd. 6. **Ownership.** All communication devices purchased pursuant to subdivision 3 will become the property of the state of Minnesota.

Subd. 7. **Standards.** The communication devices distributed under this section must comply with the electronic industries association standards and approved by the Federal Communications Commission. The commissioner of human services must provide each eligible person a choice of several models of devices, the retail value of which may not exceed \$600 for a communication device for the deaf, and a retail value of \$7,000 for a telebraille device, or an amount authorized by the Department of Human Services for a telephone device for the deaf with auxiliary equipment.

Subd. 8. Repealed, 1988 c 621 s 19

HIST: 1987 c 308 s 4,8; 1988 c 621 s 5-8; 1993 c 272 s 17; 1995 c 190 s 8-11; 1995 c 201 s 2

237.54

237.54 Telecommunication relay service.

Subdivision 1. Repealed, 1995 c 190 s 17

Subd. 2. **Operation.** (a) The commissioner of commerce shall contract with a qualified vendor for the operation and maintenance of the telecommunication relay system.

(b) The telecommunication relay service provider shall operate the relay service within the state of Minnesota. The operator of the system shall keep all messages confidential, shall train personnel in the unique needs of communication-impaired people, and shall inform communication-impaired persons and the public of the availability and use of the system. Except in the case of a speech- or mobility-impaired person, the operator shall not relay a message unless it originates or terminates through a communication device for the deaf or a Braille device for use with a telephone.

HIST: 1987 c 308 s 5,8; 1993 c 272 s 14,17; 1995 c 190 s 12; 1Sp2001 c 4 art 6 s 66; 2002 c 329 s 4

237.55

237.55 Annual report on communication access.

The commissioner of commerce must prepare a report for presentation to the commission by January 31 of each year. Each report must review the accessibility of the telephone system to communication-impaired persons, review the ability of non-communication-impaired persons to communicate with communication-impaired persons via the telephone system, describe services provided, account for money received and disbursed annually for each aspect of the program to date, and include predicted future operation.

HIST: 1987 c 308 s 6,8; 1993 c 272 s 15,17; 1995 c 190 s 13; 1Sp2001 c 4 art 6 s 67

237.56

237.56 Adequate service enforcement.

The services required to be provided under sections 237.50 to 237.55 may be enforced under section 237.081 upon a complaint of at least two communication-impaired persons within the service area of any one telephone company, provided that if only one person within the service area of a company is receiving service under sections 237.50 to 237.55, the commission may proceed upon a complaint from that person.

HIST: 1987 c 308 s 7,8; 1993 c 272 s 17

Minnesota Rules, Chapter 8775.

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8775.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Applicable median income.** "Applicable median

income" means the median gross income in Minnesota as estimated by the Bureau of the Census in the most recent annual announcement of the United States Department of Health and Human Services Family Support Administration, published in the Federal Register. These announcements are incorporated by reference.

Subp. 3. **Appropriate communication device.** "Appropriate communication device" means a communication device that most efficiently allows access to the telephone system by a communication-impaired person.

Subp. 4. **Blind.** A person is "blind" if central visual acuity does not exceed 20/200 in the better eye with corrective lenses or, if greater than 20/200, visual acuity is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

Subp. 5. **Board.** "Board" means the Telecommunication Access for Communication-impaired Persons Board established in Minnesota Statutes, section 237.51.

Subp. 6. **Communication device.** "Communication device" means a device that when connected to a telephone enables a communication-impaired person to communicate with another person using the telephone system. A communication device includes a ring signaler, an amplification device, a telecommunications device for the deaf (TDD), a braille device for use with the telephone system, and any other device the board considers necessary.

Subp. 7. **Communication-impaired person.** "Communication-impaired person" means a person determined by the division to be deaf, deaf and blind, hard-of-hearing, mobility impaired, or speech impaired as defined by subparts 8, 9, 12, 16a, and 20.

Subp. 8. **Deaf.** "Deaf" means a hearing impairment of such severity that the individual must depend primarily upon visual communication such as writing, lip reading, manual communication, and gestures. A deaf person requires use of a telecommunications device for the deaf (TDD) to communicate effectively on the telephone.

Subp. 9. **Deaf and blind.** "Deaf and blind" means the conditions of a person who is (1) deaf or has a severe to profound hearing loss and (2) blind or visually impaired. A person affected by these conditions requires use of a braille device for use with the telephone system or other specially designed system to communicate effectively on the telephone.

Subp. 10. **Division.** "Division" means the Deaf and Hard of Hearing Services Division of the Minnesota Department of Human Services.

Subp. 11. **Economic hardship.** "Economic hardship" means an economic condition or level of subsistence on a household income

that is at or below 60 percent of the applicable median income in the state.

Subp. 12. **Hard-of-hearing.** "Hard-of-hearing" means a hearing impairment resulting in a functional loss, but not to the extent that the individual must depend primarily upon visual communication. Some of the effects of the impairment can be overcome with proper amplification. A person that is hard-of-hearing may require a communication device to communicate effectively on the telephone.

Subp. 13. [Repealed, 19 SR 1666]

Subp. 14. **Household criteria.** For determining priority when initially distributing equipment or receiving more than one communication device, "household criteria" means the higher priority given for a household having more than one communication-impaired person or for a household with a communication-impaired person living alone.

Subp. 15. **Household income.** "Household income" means the total income of a communication-impaired person and immediate family living in the same residence. The immediate family includes spouse and minor children. The income of a minor child must be included when the dependent minor child is under 15 years of age and residing with the parents or custodial parent. If the communication-impaired person is a minor child, then parents and siblings residing with the minor are immediate family.

Subp. 16. **Income.** "Income" means money received in the preceding calendar year from each of the following sources:

- A. money, wages, or salary;
- B. net income from nonfarm employment as defined for federal tax purposes;
- C. net income from farm self-employment as defined for federal taxes;
- D. income from any social security program;
- E. supplemental social security income;
- F. public assistance or welfare payments;
- G. interest on savings or other investments that pay interest;
- H. dividend income from estates or trusts, or net rental income;
- I. veterans' payments, unemployment compensation payments, and workers' compensation payments;
- J. private or public employee pensions; and

K. alimony, child support, regular contributions from persons not living in the household, and other periodic income. This definition of income comes from that of the Bureau of the Census and is interpreted according to its standards as published in "Consumer Income," series P-60, No. 156, Money, Income of Households, Families and Persons in the United States: 1985. These standards are incorporated by reference, are not subject to frequent change, and are located in the government publications reference department of the University of Minnesota and in the Minitex interlibrary loan system.

Subp. 16a. **Mobility impaired.** "Mobility impaired" means a motor skill condition that significantly impedes a person's ability to use standard customer premises telephone equipment. A mobility-impaired person may require the use of a communication device with auxiliary equipment to communicate on the telephone.

Subp. 17. **Resident of Minnesota.** "Resident of Minnesota" means an individual who lives in Minnesota or who has moved to Minnesota and intends to remain in Minnesota.

Subp. 18. **Significant visual impairment.** "Significant visual impairment" means a visual disability that does not constitute legal blindness but which constitutes a substantial handicap to employment or limits the person's ability to live independently, perform self-care activities, or grow and develop.

Subp. 19. **Special needs.** "Special needs" means the needs of an eligible person that may require that the person be given priority when initially distributing the equipment or be given more than one communication device because of severity of communication impairment or presence of multiple disabilities.

Subp. 20. **Speech impaired.** "Speech impaired" means a condition that renders a person physically incapable of speaking clearly. The severity of the impairment may vary; however, it renders speech on an ordinary telephone unintelligible or impossible and requires a communication device to communicate effectively on the telephone.

Subp. 21. **TAM.** "TAM" means Telecommunications Access Minnesota.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74
Current as of 08/26/04

8775.0200 PURPOSE AND CONSTRUCTION.

The purpose of this chapter is to develop and implement a statewide program to distribute telephone communication devices to eligible communication-impaired persons for improving access to telephone communications services for communication-impaired persons. This chapter is to be liberally construed to further

these purposes.

STAT AUTH: MS s 237.51

HIST: 14 SR 848

Current as of 08/26/04

8775.0300 ELIGIBILITY FOR TAM SERVICES.

Subpart 1. **Information provided.** On request, the division shall offer to a person an application form developed by the division and a brochure that describes the TAM eligibility requirements and application process.

Subp. 2. **Application process.** The applicant shall complete the application form and return it to the division's regional service center for deaf and hard-of-hearing people. An application may be made by the applicant, the applicant's spouse, or a person authorized by the applicant to act in the applicant's behalf. All documentation must be provided within 30 days of the first interview with the division. The applicant shall provide medical documentation of communication impairment on request.

Subp. 3. **Documenting, verifying, and reviewing eligibility.** The division shall verify the applicant's household income, age, and access to telephone service, and that the applicant is a communication-impaired person. If the division becomes aware that a condition of eligibility has changed, the division may redetermine eligibility:

A. Within 30 days, an applicant shall document income or authorize the division to verify the income. The division shall help an applicant or recipient obtain documents that the applicant does not possess and cannot obtain. Information previously verified and retained by the division need not be verified again unless the information no longer applies to current circumstances.

B. The division shall not request information about an applicant for or recipient of TAM services that is not of public record from a source other than within the division without the applicant's or recipient's previous written consent. The division may request information about an applicant or recipient that is not of public record from the telephone companies by obtaining the applicant's or recipient's previous written consent on an application or redetermination form. The division shall not provide third parties with access to information about an applicant's eligibility status or other case record information without the previous written consent of that applicant or recipient, except when access to specific case information is granted to agencies designated by the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13. Information designated as confidential by the Minnesota Government Data Practices Act may only be made available to agencies granted access under that law and must not be provided to an applicant, recipient, or third party.

C. The division shall inform the recipient of the recipient's responsibility to report permanent changes in circumstances that affect eligibility within ten days of each change.

Subp. 4. **Eligibility criteria.** To be eligible for the TAM program, a person must:

- A. be at least five years of age;
- B. be a communication-impaired person;
- C. be a resident of Minnesota;

D. be a resident in a household at or below the applicable median income in the state, except that a deaf and blind person applying for a braille device for use with the telephone system may reside in a household that has a median income no more than 150 percent of the applicable median household income in the state; and

E. have or have applied for telephone service and been assigned a telephone number. A person who at the time of application does not have telephone service, but meets all other eligibility requirements, will be declared "conditionally eligible" and, in order to be declared "eligible," must apply for telephone service and be assigned a telephone number.

Subp. 5. **Persons not eligible.** Persons who are residents of a residential or treatment facility that directly or indirectly receives federal funding and is required to be fully accessible to all residents by the Rehabilitation Act of 1973, United States Code, title 29, section 774, and the Americans with Disabilities Act of 1990, United States Code, title 42, section 12101, et seq., and are eligible for and can obtain communication devices through federal provisions are not eligible to receive TAM services under this chapter.

Subp. 6. **Notification of eligibility.** Within 30 days of the receipt of the application and the necessary documentation the division shall notify the applicant in writing whether the applicant is found eligible and, if the applicant is denied, the reasons for denial.

Subp. 7. **Determination of appropriate communication device.** The division shall determine the appropriate communication device for a recipient.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74
Current as of 08/26/04

8775.0400 COMMUNICATION DEVICES; INITIAL DISTRIBUTION PRIORITY.

Subpart 1. **First priority: deaf and blind.** The first in priority are those eligible, deaf and blind persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 2. **Second priority: deaf.** The second in priority are those eligible, deaf persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 2a. **Third priority: speech and mobility impaired.** The third in priority are those eligible speech- and mobility-impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 3. **Fourth priority: impaired speech.** The fourth in priority are those eligible, speech-impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 3a. **Fifth priority: mobility impaired.** The fifth in priority are those eligible, mobility-impaired persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 4. **Sixth priority: hard-of-hearing.** The sixth in priority are those eligible, hard-of-hearing persons having special needs, experiencing economic hardship, or meeting the household criteria standards.

Subp. 5. **Seventh priority: others without special needs.** The seventh in priority are those eligible, communication-impaired persons having no special needs, not experiencing economic hardship, and not meeting the household criteria standards.

Subp. 6. **Use of priority system.** Initially, the priority system must be used to determine the priority of eligible applicants for receiving telecommunication devices, for example, to establish a waiting list of eligible applicants. Only if allotted program money is insufficient to provide all eligible applicants with needed equipment may the priority system be used to determine which individuals will receive equipment.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666
Current as of 08/26/04

8775.0500 HOUSEHOLDS ELIGIBLE TO RECEIVE SEVERAL DEVICES.

Subpart 1. **Deaf.** A communication-impaired person who is deaf is eligible for a telecommunications device for the deaf (TDD) and a ring signaler.

Subp. 2. **Deaf and blind.** A communication-impaired person who is deaf and blind is eligible to receive a telecommunications device for the deaf (TDD) or braille device for use with the telephone system with auxiliary equipment approved by the board and necessary for efficient communication.

Subp. 3. **Two or more eligible persons.** If a household contains more than one eligible communication-impaired person with various communication impairments, the board or its designee may approve more than one telephone device as necessary for efficient communication.

Subp. 4. **Hard-of-hearing.** A communication-impaired person who is hard-of-hearing is eligible for a ring signaler and amplification device if more than one device is necessary for efficient communication.

Subp. 5. **Mobility impaired.** A communication-impaired person who is mobility impaired is eligible for a speakerphone or similar device with auxiliary equipment that the board or its designee deems necessary.

Subp. 6. **Speech and mobility impaired.** A communication-impaired person who is speech and mobility impaired is eligible for a speakerphone or similar device, or telecommunications device for the deaf (TDD) and any auxiliary equipment approved by the board.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666
Current as of 08/26/04

8775.0600 TRAINING AND MAINTENANCE.

The commissioner of human services shall maintain the communication devices until the warranty period expires at which time the board shall decide whether to repair or replace defective units. The commissioner shall provide training, without charge, to first-time users of the devices.

STAT AUTH: MS s 237.51

HIST: 14 SR 848
Current as of 08/26/04

8775.0700 OWNERSHIP.

Communication devices distributed under this chapter are and must remain the property of the state of Minnesota.

STAT AUTH: MS s 237.51

HIST: 14 SR 848
Current as of 08/26/04

8775.0800 APPEALS.

Subpart 1. **Aggrieved party.** An aggrieved party may appeal a decision of the division. An aggrieved party is an applicant:

A. who is determined ineligible for TAM service under part 8775.0300, subpart 4;

B. who disagrees with the division's determination regarding the appropriate communication device under part 8775.0300, subpart 6;

C. who disagrees with the division's decision regarding priority for initial distribution of communication devices under part 8775.0400; or

D. whose TAM service is terminated.

Subp. 2. **Procedure.** Requests for appeal must be made within 30 calendar days of receiving notice of adverse action or, for good cause shown, within 60 calendar days of receiving the notice. Requests for appeal can be made through written, telephone, or face-to-face contact with a designated representative of the regional service center for deaf and hard-of-hearing people.

Subp. 3. **Conciliation conference.** Within 30 calendar days of receiving a request for appeal, a representative of the regional service center for deaf and hard-of-hearing people shall meet with the aggrieved party and attempt to resolve informally the matter leading to the appeal. Within ten calendar days of the conciliation conference, the representative shall prepare a written summary of the issues addressed at the conciliation conference and shall send a copy of the written summary to the aggrieved party and to the board.

Subp. 4. **Formal hearings.** If still dissatisfied after receiving a copy of the conciliation conference summary, the aggrieved party may request a hearing before the board by making written, telephone, or face-to-face contact with a designated representative of the regional service center for deaf and hard-of-hearing people. A hearing before the board must be scheduled within 90 days. At the hearing, the aggrieved party may introduce evidence relevant to the issues on appeal. An aggrieved party may be represented by legal counsel or a lay advocate at the hearing.

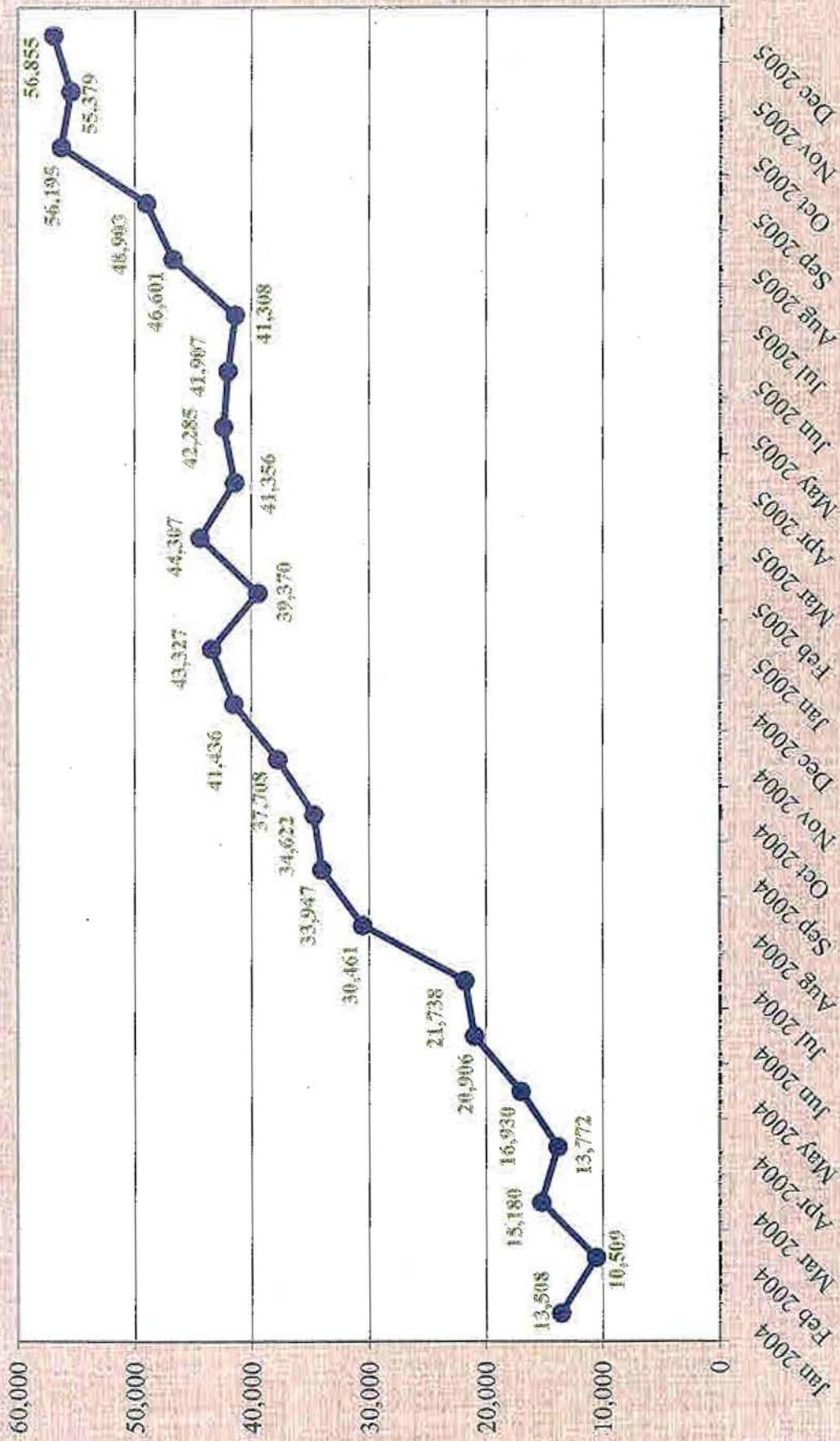
Subp. 5. **Service pending appeal.** Termination of TAM services must be stayed pending an appeal.

STAT AUTH: MS s 237.51

HIST: 14 SR 848; 19 SR 1666; L 2004 c 228 art 1 s 74
Current as of 08/26/04

APPENDIX B

CapTel Session Minutes of Service per Month



APPENDIX C



August 16, 2005

Dear Minnesota Telephone Company,

I am writing to you on behalf of the Minnesota Department of Commerce-Telecommunications Access Minnesota (DOC-TAM) program. DOC-TAM is the state administrative office responsible for ensuring equal access to the telecommunications network for Minnesotans who are deaf, hard of hearing, speech or physically disabled. DOC-TAM administers the Minnesota Relay and Telephone Equipment Distribution (TED) Program.

This letter serves as a reminder that all telephone companies serving Minnesota consumers shall assure that their customers are aware of the availability and use of all forms of Telecommunications Relay Services (TRS).

As required by FCC 47 C.F.R. § 64.604(c)(3) regarding public access to information, "Carriers, through publication in their directories, periodic billing inserts, placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY numbers in telephone directories, shall assure that callers in their service areas are aware of the availability and use of all forms of TRS. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing, speech disabled, and senior citizens as well as members of the general population. In addition, each common carrier providing telephone voice transmission services shall conduct, not later than October 1, 2001, ongoing education and outreach programs that publicize the availability of 711 access to TRS in a manner reasonably designed to reach the largest number of consumers possible."

DOC-TAM wishes to underscore that this federal rule mandates that telephone carriers provide this service at no public cost and that all telephone directories provide free Minnesota Relay listings and use instructions.

To provide background, the Minnesota Relay facilitates calls, both personal and business, for individuals who have hearing loss or a speech disability. The TED Program provides special telecommunications equipment (at no cost for those who qualify) to individuals who have difficulty using the telephone due to hearing, vision, speech, or physical disabilities. The State's eligible TED Program clients are predominately older and hard-of-hearing persons that typically do not apply for the TED Program unless encouraged to do so by trusted friends or telephone service providers.

On February 1, 2004, the newest form of Minnesota Relay service, captioned telephone relay service (CapTel™), became available. To use captioned telephone service you must have a CapTel telephone. This service allows people with hearing loss to receive word-for-word captions of their telephone conversations on their CapTel phone. It is similar in concept to captioned television, where spoken words appear as written text for viewers to read. If a CapTel user has difficulty hearing what the caller says, they can read the captions for clarification.

Many telephone companies are publishing outdated and incorrect Minnesota Relay information. Please forward this notice to your publications department (or appropriate person) and ensure that the most recent Minnesota Relay information is being distributed to your customers.

Updated examples of Minnesota Relay directory page information and bill stuffer are available on our Web site at: www.commerce.state.mn.us (click on the Minnesota Relay tab and go to *Service Providers*).

As a public service to customers, local telephone companies typically place the Minnesota Relay information after the 9-1-1 and other emergency service listings in their directories, but before the alphabetized listings.

As demonstration of your company's compliance, please mail or fax (651-297-7891) a copy of your telephone company's directory page(s) that pertain to Minnesota Relay, and a copy of your Minnesota Relay bill stuffer or newsletter article. Be sure to indicate the name and address of your telephone company, and the date the submitted items were published or distributed.

If you will not be publishing the revised Minnesota Relay information in your telephone directory and/or will not be sending a Minnesota Relay bill insert or newsletter article to your customers by January 1, 2006, please submit written notification (by fax, e-mail or mail) indicating your intended date of publication to my attention.

PLEASE NOTE: Do not submit copies of materials until you have published the **current updated** Minnesota Relay information. Companies submitting copies of incorrect information will be notified of such, and will not be considered compliant until correct information is distributed to their Minnesota customers.

If your telephone company **is not currently operating in Minnesota** (i.e. does not have any customers in Minnesota), please submit a written response to this effect.

Please feel free to contact me if I can be of assistance regarding the Minnesota Relay, or in answering any questions you may have regarding this correspondence. I can be reached at 651-297-8941 or 1-800-657-3599.

I wish to thank all of the telephone companies for their past and future cooperation.

Best regards,



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